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Police work in the context of the EU's refugee-crisis:

A descriptive and explanatory cross-sectional comparative analysis of the police work
in and around the regular reception facility in Almelo (NL) and the arrival center in
Bramsche-Hesepe (GER)

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Abbreviations

AA	Algemene asielprocedure (General asylum procedure)
ACS	Aanmeldcentrum Schiphol (Application Center Schiphol)
AIDA	Asylum Information Database
AsylG	Asylgesetz (Asylum Act)
AufenthG	Aufenthaltsgesetz (Residence Act)
AVIM	Afdeling Vreemdelingenpolitie, Identificatie en Mensenhandel (Aliens Police Department, Identification and People Trafficking)
AZC	Asielzoekerscentrum (Asylum-seekers center)
BAMF	Bundesamt für Migration und Flüchtlinge (Federal Office for Migration and Refugees)
BKA	Bundeskriminalamt (German Federal Criminal Police Office)
BOA	Buitengewoon opsporingsambtenaar (Special investigation officer)
BÜMA	Bescheinigung über die Meldung als Asylsuchender) (Confirmation of having reported as an asylum-seeker)
CBS	Centraal Bureau voor de Statistiek (Central Agency for Statistics)
CEAS	Common European Asylum System
COA	Centraal Orgaan opvang asielzoekers (Central Agency for the Reception of Asylum-Seekers)
COL	Centraal Opvanglocatie (Central Reception Center)
DT&V	Dienst Terugkeer en Vertrek (Repatriation and Departure Service)
EASY	Erstverteilung von Asylbewerbern (Initial distribution of asylum- seekers)
ESD	Einsatz- und Streifendienst (Operational and patrol service)
Et al.	Et aliae
EU	European Union
EuroCOP	European Confederation of Police
EURODAC	European Dactyloscopy
FRA	European Union Agency for Fundamental Rights
I.e.	Id est
IND	Immigratie- en Naturalisatiedienst (Immigration and Naturalization Service)

GER	Germany
KED	Kriminal- und Ermittlungsdienst (Criminal and investigative service)
KLPD	Korps landelijke politiediensten (Dutch Police Services Agency)
KMar	Koninklijke Marechaussee (The Royal Dutch Military Constabulary)
KOB	Kontaktbeamter (Liaison officer)
LAB NI	Landesaufnahmebehörde Niedersachsen (Accommodation Authority of the Federal State of Lower Saxony)
LKA	Landeskriminalamt (State Office of Criminal Investigations)
NATO	North Atlantic Treaty Organization
N.d.	No date
NDR	Norddeutscher Rundfunk (North German Broadcasting)
Nds. SOG	Niedersächsisches Gesetz über die öffentliche Sicherheit und Ordnung (Public Order and Security Act of Lower Saxony)
NOZ	Neue Osnabrücker Zeitung (Local newspaper from the German city of Osnabrück)
N.p.	No pagination
NP	Nederlandse Politie (Netherlands Police)
NL	Netherlands
OJ	Official Journal of the European Union
PIVA	Programma Invoering Verbeterde Asielprocedure (Improved Asylum Procedure)
POL	Proces Opvanglocatie (Process Reception Center)
PK	Polizeikommissariat (Police Station)
StPO	Strafprozessordnung (German Code of Criminal Procedure)
Subs.	Subsection
UNODC	United Nations Office on Drugs and Crime
UAM	Unaccompanied minors
VAP	Verlengde Asielprocedure (Extended Asylum Procedure)
ZErmG	Zentrale Ermittlungsgruppe (Central Investigation Unit)
ZKI	Zentrale Kriminalinspektion (Central Criminal Investigation Unit)
ZPD	Zentrale Polizeidirektion Niedersachsen (Central Police Directorate)

Abstract

Over the last two years, the European Union (EU) has experienced a large-scale and oftentimes uncontrolled influx of foreigners from non-EU countries applying for asylum- a phenomenon that has in media outlets widely been referred to as the refugee-crisis. This large-scale and oftentimes uncontrolled influx of genuine asylum-seekers and irregular migrants has been associated with a number of problems and increased workloads for the police in general, and those local police forces that are responsible for the policing of asylum accommodation facilities, in particular.

But did the influx of asylum-seekers and irregular migrants really result in increased workloads for local police forces that are responsible for policing asylum accommodation facilities? And did local police forces in different Member States find different solutions in order to cope with potentially increased workloads?

Hitherto, on a scientific level these are unanswered questions. It is the declared aim of this study to fill in this gap to a certain extent.

This study essentially concentrates on the question, if the policing of the regular reception facility (AZC) in Almelo (NL) currently differs from the policing of the arrival center in Bramsche-Hesepe (GER), and if so, which factors provide an explanation for the potentially observed differences in the modes of policing.

In order to detect differences in the modes in which the two asylum accommodation facilities are policed, semi-structured face-to-face interviews (N=6) were conducted with those police officers that are responsible for policing the two asylum accommodation facilities.

Placed against the background that police scholars theoretically expect that variations in the modes of policing are caused by environmental, organizational and situational factors, this study comes to the conclusion that organizational factors are least responsible for the observed differences between the modes in which the two asylum accommodation facilities under study are policed. External environmental factors, however, seem to provide explanations for the observed differences between the mode of policing of the regular reception facility and the mode of policing of the arrival center to a much greater degree.

1. Introduction

Over the last two years, the European Union (EU) has experienced a large-scale and oftentimes uncontrolled influx of foreigners from non-EU countries applying for international protection- a phenomenon that has in media outlets widely been referred to as the refugee-crisis. Data published by Eurostat (2016) indicate that in the year 2015 alone, roughly 1.25 million¹ third-country nationals have applied for asylum in the EU Member States, although not all of them were genuine asylum-seekers entitled to international protection under international law (European Parliament, 2016). In fact, in addition to genuine asylum-seekers, who have predominantly fled from countries in conflict or crisis, such as Syria, Afghanistan and Iraq (as can be seen from Figure 1) in order to save their lives or preserve their freedom, the migratory flows of the last two years also included irregular migrants who supposedly intended to enter the EU primarily for economic reasons and who tried to legitimize their illegal status through also making applications for asylum (European Commission, 2016; Aggarwal, La China & Vaculova, 2016).

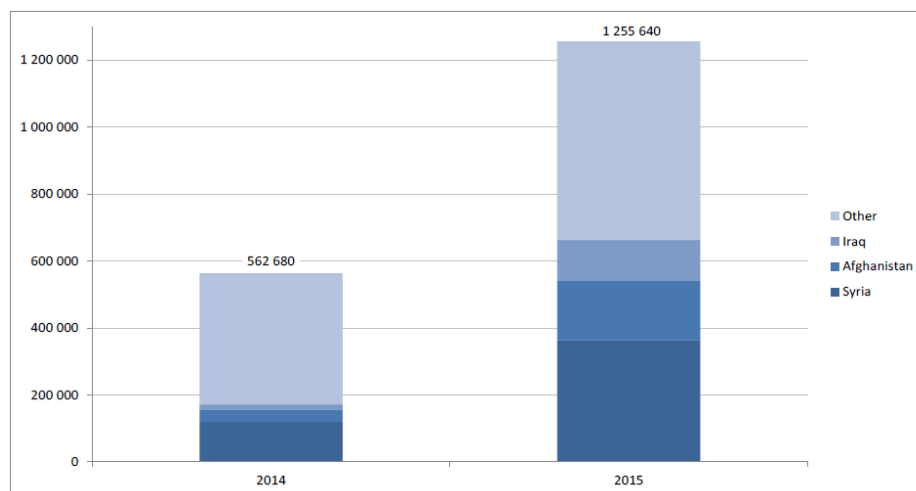


Figure 1: First time asylum applicants registered in the EU Member States, 2014/2015 (Eurostat, 2016)

While, according to Directive 2011/95/EU of the European Parliament and of the Council, international protection is granted to those third-country nationals who qualify as refugees due to a well founded fear of prosecution for reasons of race, religion, nationality, or membership of a particular social group or political opinion;

¹ In addition, there is an unknown number of irregular or undocumented migrants who entered the EU without applying for asylum (European Parliament, 2016).

and subsidiary protection status is granted to those third-country nationals who would face a real risk of suffering serious harm if returned to their respective country of origin (OJ 2011 L 337/9, 20 December 2011), the EU Member States are, according to Directive 2008/115/EC of the European Parliament and of the Council (OJ 2008 L 348/98, 24 December 2008), required to return irregular migrants to their country of origin or other safe countries.

As, however, genuine asylum-seekers and irregular migrants often used the same routes and means of transportation in their attempt to enter the EU (Metcalf-Hough, 2015), and as a large number of irregular migrants arrived with false or no identification documents (FRONTEX, 2016), responsible border authorities often failed to properly distinguish between those people in need for international protection and those moving in search of better economic opportunities, leading to the high numbers of justified and unjustified asylum applications of the last two years.

The sheer number and the complexity of the inflow of asylum-seekers and other migrants into the EU over the last two years have become highly sensitive political issues, generating intense political and public debate and exacerbating pre-existing weaknesses in a number of the EU's current institutional and legislative arrangements (Metcalf-Hough, 2015; Lehne, 2016). As indicated before, the so-called refugee-crisis clearly exposed substantial shortcomings with regard to the protection and control of the EU's external borders. Besides, and partly due to, exposing these shortcomings, the massive influx of genuine asylum-seekers and irregular migrants also threatened the very existence of the Schengen area (Willermain, 2016). The Schengen Agreement, which took effect in 1985, abolished internal border controls between countries in lieu of a single external border, enabling the free movement of people, goods and services. It covers 22 EU Member States and four non-EU Member States (European Commission, 2009). "The idea behind softening borders in the Schengen area is that internal frontiers become soft, while external ones are hard, effectively creating a larger zone of free movement, but one with sharper edges...so entry to this area is strictly controlled" (Grabbe, 2000, p. 505). However, in the course of the refugee-crisis, several EU Member States "began questioning the ability or willingness of other Member States to control the external borders" (Jeffrey, 2017, p. 8) and reinstated temporary border controls, thus calling into question the idea of a borderless Europe.



Figure 2: Schengen area and main migration routes to Europe (Jeffray, 2017, p.11)

Furthermore, the massive inflow of asylum-seekers and other migrants into the EU demonstrated the unsustainability of the EU's current Common European Asylum System (CEAS) and one of its core mechanisms, the Dublin III Regulation, in particular (Fratzke, 2015). The Dublin III Regulation assigns the responsibility for registering and processing the asylum applications of third-country nationals to the first country of entry, in order to prevent asylum-seekers from filing applications in several EU Member States simultaneously (OJ 2013 L 180/31, 29 June 2013).

Due to their geographical locations on the EU's southern periphery, Italy and Greece have become the first countries of entry for the vast majority of third-country nationals seeking asylum on the territory of the EU in 2015 (FRONTEX, 2016). Pursuant to the Dublin III Regulation, Italy and Greece were actually responsible for registering and (at least temporarily) accommodating all asylum-seekers entering their respective territory. However, given the huge migratory pressures of the year 2015, the authorities of the two fiscally constrained countries were no longer able to fulfill their obligations and responsibilities and failed to prevent (unregistered) asylum-seekers from continuing their journey to economically more vibrant and/or migration-friendly Member States of the EU. "This imposed an equally unsustainable burden on main

destination countries such as Germany, Sweden, Spain, Belgium, the Netherlands and Austria" (Willermain, 2016, p. 1).

In most, if not in all, of the main destination countries, initial feelings of empathy and the widespread willingness to accept and help newcomers were soon accompanied by worries about the negative consequences that the large-scale and (oftentimes) uncontrolled arrival of genuine asylum-seekers and irregular migrants could have for society, labor markets and welfare institutions. Due to the terror attacks in Paris, Brussels and Berlin, as well as the incidents of sexual assaults and thefts during the 2016 New Year's Eve celebrations in Cologne (Germany), security concerns have also become a major issue in the policy discourse on asylum-seekers and migrants.

	[1] Growth rate 2003-13	[2] Growth rate 2013-15
Austria	-22%	389%
Belgium	-26%	212%
Denmark	65%	175%
France	1%	17%
Germany	117%	303%
Greece	0%	38%
Italy	91%	224%
Netherlands	7%	199%
Spain	-24%	224%
Sweden	73%	188%

Figure 3: Growth rates (first-time requests) of asylum-seekers in selected EU Member States
(Bordignon & Moriconi, 2017, p. 4)

"The mechanisms established by states to protect people's rights, establish and maintain order and guarantee stability and security are usually referred to collectively as the security sector. An important actor in the security sector is the police, whose functions, as a minimum, are the prevention and detection of crime, the maintenance of public order and the provision of assistance to the public" (The United Nations Office on Drugs and Crime, 2011, p. 5).

Due to the severity of public expenditure cuts on police pay and budgets throughout the EU in the aftermath of the financial crisis and economic recession of 2008, the capacity of national police forces to perform these security-related functions in a satisfactory manner was, however, already seriously compromised in the recent past (Nogala, Neidhardt, et. al, 2013; EuroCOP, 2013).

With the help of a survey which was conducted among its members in the year 2014, the European Confederation of Police (EuroCOP)² for instance came to the conclusion, that even prior to the outbreak of the refugee-crisis, many police forces across the EU were already considerably struggling with issues of understaffing, increased workloads, as well as the lack of proper training and equipment (EuroCOP, 2015). The recent large-scale and (oftentimes) uncontrolled influx of third-country nationals into the EU has certainly not contributed to an easing of the situation for the European police forces.

Rather, it seems as if the refugee-crisis constitutes an additional burden that could possibly stretch the police to their limits. Assumingly, this is increasingly the case for police forces that are either located in close vicinity of the external border of a specific EU Member State and/or for local police forces that are responsible for the policing in and around asylum accommodation facilities. This expectation is for instance corroborated by the fact that, since 2015, the number of attacks against these facilities has sharply risen in a number of EU Member States (FRA, 2016). The investigation and prosecution of these politically motivated crimes can be very time intensive and keep the police busy.

Furthermore, while the absolute majority of asylum-seekers does not commit prosecutable acts (and certainly are no terrorists), it cannot be denied that some of them engage in criminal activities requiring police intervention. Although, according to the president of the German Federal Criminal Office (Bundeskriminalamt, BKA), Holger Münch, "the offenses committed most admittedly are merely minor bodily harm, shoplifting and fare dodging, the police in some cases also identified links to organized crime and/or gang structures similar to those found in the field of organized crime" (2016, p. 2).

In the view of this development, EuroCOP issued the warning that "it is impossible to believe that the new demands created by over one million new people entering Europe in little over a year can properly be managed by police forces who were already struggling to cope with falling numbers and existing demand" (2016, p. 2). Instead, EuroCOP invoked, that it should be realized that "police officers have not been trained to deal with the complex issues created by the refugee-crisis and that

² "The European Confederation of Police (EuroCOP) is the umbrella organization for 35 police unions and staff organizations in Europe. Based in Luxembourg, it represents the interests of over half a million police officers in 27 European countries" (EuroCOP, 2016, p. 3)

some police forces are simply overwhelmed by the volume of people coming to their jurisdictions" (2016, p. 1).

As a way out of this situation, EuroCOP calls for an increase in the number of police officers throughout the EU as well as the development of specific police trainings for dealing with asylum-seekers (2016). Especially the former approach, however, neither comes cheaply, nor does it provide any near-term remedy, as new police recruits usually have to serve multi-annual apprenticeship programs before attaining full status in the police. Hence, for the time being, it seems as if the police have to make do with existing staff and come up with different solutions to stem the additional burdens that the refugee-crisis recently brought about.

As one potential reaction to the increased burden caused by the refugee crisis, the State Agency for Police of the German Federal State of Lower Saxony for instance ordered its police forces to reorganize their priorities, according to the *Neue Osnabrücker Zeitung* (NOZ), citing an internal police paper. This reprioritization refers to a "temporary deferment and reduction of measures in non-priority areas of responsibility", and "an optimization in determining the intensity and scope of non-priority areas of crime" (*Neue Osnabrücker Zeitung*, 2016, n.p.). As a result of the reprioritization, "police officers are officially ordered to reduce their investigations into minor crimes such as criminal damage, petty theft or fare evasion and to more quickly close cases, if the chance of catching the offender is low" (*Neue Osnabrücker Zeitung*, 2016, n.p.). The declared aim of this measure is to "free up more police resources for other pressing tasks" (*Neue Osnabrücker Zeitung*, 2016, n.p.).

While acknowledging that the decision of the Federal State Agency for Police might have been without any alternative, it remains highly questionable, however, whether the adopted cuts in some areas of police work contribute to the population's confidence in a fully functional police force.

All in all, a major problem for the police forces within the different EU Member States was, and still is, that there was no real preparation time for them to adapt the police service(s) to the new difficulties and challenges that came along with the refugee-crisis. Comparable to the situation of other public authorities, the police was basically taken by surprise when the refugee-crisis erupted in 2015 and had to generate rather spontaneous solutions to the concerns and problems associated with this new phenomenon.

The main impetus for this study came from the police department (Polizeikommissariat) of the German town of Bramsche, which is located in the Federal State of Lower Saxony. The police department of Bramsche is inter alia responsible for policing an arrival center that is located in Hesepe, a village that comprises one district of the town of Bramsche. The police department's administration was highly interested in finding out whether the policing of asylum reception facilities in other main destination countries across the EU is carried out in similar ways, or whether other police forces potentially found different or better solutions to the new difficulties and challenges associated with the influx of asylum-seekers to their jurisdictions.

As, according to their own account, the police in Bramsche are occupied with their own policing matters to such an extent that they could not conduct such an ambitious research project themselves, this task was delegated to the author of this report.

In the search for another police institution, to which the police work in and around the arrival center in Bramsche-Hesepe can be compared to, police authorities in several EU Member States that also became major destinations for asylum-seekers in the past two years were contacted. In many cases, however, the requests have remained unanswered or have been refused. In order to still be able to conduct the study, the supervising professor of this research project, Dr. A.J.J. Meershoek, established contact with the Dutch police director Rik de Boer to see whether he could help to find a suitable object of comparison in the Netherlands.

After some inquiries, Rik de Boer indicated that the police unit (basisteam 'B2 Twente Noord') of the Dutch city of Almelo, which is also responsible for the policing of an asylum accommodation facility, expressed a great deal of interest in the envisaged research project and agreed to participate in the study. Hence, the decision to compare the ways in which the police department of Bramsche and the police unit of Almelo are policing the asylum accommodation facilities in their respective jurisdictions, has basically been driven by practical constraints and has been without any real alternative.

2. Theoretical perspectives

"There is no single definition of what policing is. But there is obviously a dominant group of activities that is carried out by the police in most modern countries. These activities have to do, generally speaking, with helping citizens in trouble, maintaining public order and fighting crime. Those activities, however, can be carried out in many different modes: criminal investigation, criminal prevention, reactive patrol, preventive patrol, community oriented policing, et cetera (van de Vijver & Moor, 2012, p. 18).

In order to explain variations in the modes of policing (not only between different countries or provinces, but also between individual police officers in the same countries or provinces), prior research of other police scholars has identified three mayor sets of potentially influential factors (Bernhard & Engel, 2001; White, 2002; Chappell, MacDonald & Manz, 2006): environmental, organizational, and situational. Variations in the mode of policing constitute the dependent variables-phenomena to be explained- and environmental, organizational and situational factors are the independent variables, which provide the explanation (Carrington & Schulenberg, 2003, p. 77).

"Situational variables affecting modes of policing refer to contextual factors specific to each (individual) police-citizen encounter" (White, 2007, p. 407). These contextual factors may involve characteristics of the suspects of a given crime, such as their age, ethnicity, degree of intoxication or the seriousness of the offence (Durna, 2011; Tasdoven, 2011). Furthermore, contextual factors may also involve characteristics of the police officer(s), such as length of service, received training, education, age or sex (White, 2007; Durna, 2011; Tasdoven, 2011). Other situational variables that potentially influence the mode of policing may include characteristics of the specific police-citizen encounter, such as presence of others- police officers or bystanders and the incident location (White, 2007; Durna, 2011).

Although it has to be recognized that differences in the abovementioned situational factors could certainly help to provide an explanation for potentially observed variations in the modes of policing of the arrival center in Bramsche-Hesepe and the regular reception facility in Almelo, an analysis of situational factors is purposely excluded from this study. On the one hand, this is for instance due to limitations of available data regarding the characteristics of suspects. On the other hand, this

decision was felt because the collection of own data regarding the characteristics of suspects would certainly go beyond the scope of this master thesis.

Organizational variables potentially affecting modes of policing refer to factors that are within the realm of the police organization (White, 2007). "They can be seen as the broader coordinating structures in place within which policing occurs" (Chriss, 2011, p.117). "Organizational variables which have been associated by researchers with having an effect on modes of policing for instance include bureaucracy, professionalism, department size, stability of assignment, and supervisor's span of control" (Carrington & Schulenberg, 2003, p. 134). Slovak (1986) for instance came to the conclusion that larger police departments result in coercive measures toward the public they serve due to a lack of sufficient supervision.

When examining the impact of organizational context and structure on arrest rates in child abuse incidents, Maguire (1994) figured out that smaller police departments make more arrests than their larger counterparts.

"Wilson's (1968) pioneering case study of police organizational styles and officer behavior suggested that individual police behavior and ideas about the police role are a function of departmental goals, which occur within the broader political climate of a community. Accordingly, police organizations are distinguishable from each other by their level of bureaucratization and professionalism" (Chappell, MacDonald & Manz, 2006, pp. 288-289). Wilson (1968) suggested that police organizations could be classified into three distinctive typologies: the legalistic style, the watchman style and the service style. Each style guides the police officers in the execution of daily duties (Wilson, 1968). According to Wilson's (1968) typology, police organizations exhibiting the watchman style put their highest emphasis on the maintenance of order and (serious) crime control. "This type of organization has a predisposition to avoid formal involvement (i.e. issuance of citations or arrests), since their main function is to control public disorder rather than to enforce the law" (Wilson, 1968, p. 148). Police officers in watchman style organizations exercise a great deal of discretion and tend to ignore many minor violations, such as traffic violations or misdemeanors involving juveniles.

At the same time, police officers from police organizations operating under the watchman style are to be tough in cases of serious crime or in situations where the public peace has been breached and cannot be restored without a display of

authority. Furthermore, watchman style police organizations "have flat bureaucratic structures, low budgets, little specialization (police officers are perceived as generalists) and few rules" (Chappell, MacDonald & Manz, 2006, p. 289).

In contrast, in police organizations operating under the legalistic style, "there is a high emphasis on the strict enforcement of laws, resulting in a limited use of discretion by police officers" (Carrington & Schulenberg, 2003, p. 134). "Police officers are encouraged to handle commonplace situations as if they were matters of law enforcement as opposed to order maintenance" (Scaramella, Cox & McCamey, 2011, p. 158). Formal action (i.e. issuance of citations or arrests) is a key component of the legalistic style and accordingly a high proportion of juveniles are detained and arrested, many tickets for traffic violations are issued and police officers act vigorously against illicit enterprise (Wilson, 1968). "Police organizations that operate under this style are highly complex bureaucratic agencies that rely on central administrative authority and extensive rules and procedures" (Chappell, MacDonald & Manz, 2006, p. 289). Moreover, they are characterized by a highly specialized division of labor (i.e. specialized police units) and the presence of strict evaluation processes.

The third policing style identified by Wilson is the service style. As the label suggests, police organizations operating under the service style stress the service delivery function of police (Liederbach & Travis, 2008). "Police officers are concerned with public relations, problem solving, and deferral to community needs" (Chappell, MacDonald & Manz, 2006, p. 290). Community resident's satisfaction is a major organizational goal. "Accordingly, police officers take all requests for both law enforcement and order maintenance seriously" (Zhao & Hassell, 2005, p. 414). Serious crimes, such as robberies or burglaries take precedence over minor infractions of the law, and "arrest are avoided when possible but there will be frequent use of informal non-arrest sanctions" (Wilson, 1968, p. 201). "Service style organizations are similar to legalistic departments in that they also have a high level of professionalism. However, they have considerably fewer hierarchical levels and less administrative control compared to legalistic organizations. They rely on a decentralized control mechanism" (Tasdoven, 2011, p. 24).

According to Wilson (1968), the mode of policing of officers from a police organization operating under the service style is coined by a high frequency of contacts with the public and by the use of informal methods to interact with and aid the public.

In contrast, the mode of policing of officers from a police organization that operates under the watchman style is expected to be characterized by a low frequency of contacts with the public and by the use of informal methods to interact with the public.

Finally, the mode of policing of officers from police organizations exhibiting the legalistic style is characterized by a high frequency of contact with the public and the frequent use of formal measures to interact with the public.

While Wilson (1968) proposed that the organizational styles exhibited by local police agencies do influence the individual performance and the behavior of police officers, "it could be that police officer behaviors are partially the result of the specific organizational model adopted by the police. Police officer behavior might reflect the police culture existing in a particular police organization" (Cornelli, 2014, p. 56).

Therefore, not only different organizational styles, but also different policing models (in terms of detailed operational procedures and rules for officers to follow) may have a different influence on police officer behavior.

In their book 'Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities' (1997), Kelling and Coles provide an in-depth history of the development of two basic models of policing that have been dominant in western societies throughout the last century: the reform-model and the community-policing-model.

"From the 1940s until the 1960s the reform-model was at its peak" (Liedenbaum, 2011, p. 24). "Using the focus on criminal law as a basic source of police legitimacy, police in the reform era moved to narrow their functioning to crime control and criminal apprehension. Police agencies became law enforcement agencies. Their goal was to control crime. Their principal means was the use of criminal law to apprehend and deter offenders. Activities that drew the police into solving other kinds of community problems and relied on other kinds of responses were identified as 'social work', and became the object of derision" (Kelling & Moore, 2005, p. 94). "In other words, the function of the police would shift from crime prevention and the

provision of services to criminal apprehension through law enforcement. In terms of tactics for carrying out these functions, intimate collaboration with citizens would be replaced by more remote and reactive procedures, such as rapid responses to calls for service and patrol by automobile, that would hold police back from interacting with citizens" (Kelling & Coles, 1997, p. 77). "Moreover, police organizations emphasized control over workers through bureaucratic means of control: supervision, limited span of control, flow of instructions downward and information upward in the organization" (Kelling & Moore, 2005, p. 95).

During the late 1960s and 1970s it was clear that the reform model of policing was in crisis (Liedenbaum, 2011). On the one hand, the police were too disconnected from many of the communities they served to retain the patina of legitimacy they derived from the law (Kelling & Coles, 1997). On the other hand, "regardless of how police effectiveness in dealing with crime was measured, police failed to substantially improve their record. Despite large increases in the size of police departments and in expenditures for new form of equipment, police failed to meet their own public expectations about their capacity to control crime or prevent its increase" (Kelling & Moore, 2005, p. 98).

Due to the criticism that the reform-model increasingly faced, policing has begun to shift towards the community-policing-model in the 1990s (Liedenbaum, 2011). "Under this model, the police should operate primarily preventive and proactive and should be problem solving" (Liedenbaum, 2011, p. 24). "Everything that can help to make neighborhoods safer is important. The police should be well integrated in their area. Police officers should know the problems and the people, so that they are able to deal with problems before they escalate. Repressive actions should only be used when inevitable. The police should have vast discretionary powers, professional autonomy and police-officers should be well educated" (van de Vijver & Moor, 2012, p. 20).

However, "in many countries the community-policing-model has lost its luster under the onslaught of organized local crime and transnational crime against which it seems too soft and ineffective a model" (Marenin, 2007 p. 207). Therefore, recent developments indicate a partial return to the reform-model of policing (Liedenbaum, 2011).

Coming back to the three mayor sets of variables that prior research of other police scholars has identified as potentially having an impact on modes of policing, the third mayor set of variables refers to environmental variables. "Environmental variables pertain to factors outside the police organization and can be separated into two basic categories: community characteristics that indirectly affect police behavior, such as variations in community size, variations in local levels of crime and violence, and direct external efforts to control police behavior, including the criminal justice systems (i.e. principle of legality vs. principle of opportunity), police laws and regulations as well as court rulings" (White, 2007, p. 406).

Regarding research on community characteristics, an empirical investigation conducted by Fyfe (1981) for instance concluded that the police are more inclined to behave harshly in communities with higher crime rates.

An important inspiration for this master thesis came from the research conducted by Liedenbaum (2011). For her dissertation called 'Politiewerk: tussen taak en uitvoering- Een vergelijkend onderzoek naar de basispolitiezorg in Nederland en Noordrijn-Westfalen', she conducted a cross-border comparative analysis about the differences and similarities in the execution of the basic police work of the Dutch police force and the police force of the German Federal State of North Rhine Westphalia. The intended aim of her dissertation was to disclose potential differences and similarities in the modes of policing of the two police forces and to contingently explain them. Her decision to compare the basic police work of the Dutch police force with the basic police work of the police force of the German Federal State of North Rhine Westphalia was not a chance decision. Rather, she chose to compare those two police forces because of almost identical community characteristics prevailing in their respective jurisdictions.

As Liedenbaum (2011) showed, the Netherlands and North Rhine-Westphalia had comparable population figures, almost the same gross domestic products and nearly identical crime rates at the time when she conducted her study. In this way, Liedenbaum could assume that community characteristics could not account for potentially observed varieties between the modes of policing of the Dutch police force and the police force of North Rhine-Westphalia. Therefore, she directed her research at investigating whether differences in the institutional context in which both police forces are embedded lead to differences in their respective modes of policing.

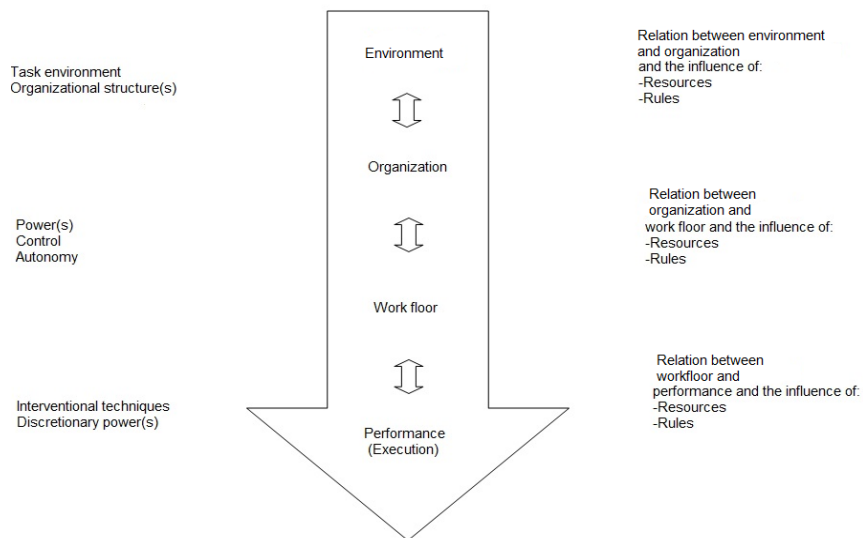


Figure 4: Theoretical model of policing (Liedenbaum, 2011, p. 46)

Through the study of the daily work of police officers, differences in policing are made clear and presented against the background of the police systems in the Netherlands and North-Rhine Westphalia. At the end, Liedenbaum concluded that "the mode of policing of the Dutch police force features more elements of Wilson's watchman style and Kelling and Coles' community-policing model, while the mode of policing of the police force of North Rhine-Westphalia shows more parallels to Wilson's legalistic style and Kelling and Coles' reform-model" (2011, p. 366).

At this intersection it should be noted that the findings of Liedenbaum regarding the differences in the modes of policing of the Dutch police force and the police force of the German Federal State of North Rhine-Westphalia must be treated with caution for the purpose of this study. There is a variety of reasons for that:

Firstly, this is because Liedenbaum derived her findings from comparing the basic police work of the Dutch police force and the police force of the German Federal State of North Rhine-Westphalia. The focus of this study, however, is on investigating differences and similarities in one specific niche of police work only, namely the policing of asylum accommodation facilities (in Almelo (NL) and Bramsche-Hesepe (GER)).

Secondly, this is due to the fact that Liedenbaum (2011) conducted her study prior to the reorganization of the Dutch police force which came into effect on 1 January 2013 and which brought about some changes to the police management structure and the division of police responsibilities in the Netherlands.

Thirdly, Liedenbaum compared the Dutch police force with the police force of the German Federal State of North Rhine-Westphalia. The focus of this study, however, is upon the police work of a police department that belongs to the police force of the German Federal State of Lower Saxony.

Even if Aden & Frevel (2017) state that "the nationwide criminal law and penal procedure code (principle of legality) have an integrating effect on policing in Germany", and that therefore "police and policing in the sixteen federal state are not completely different" (p. 231), there are still a range of differences in several areas of police organization and policing between the individual federal states (this issue will be discussed in more detail in chapter 5). Therefore, it is sensible to not blindly apply Liedenbaum's findings about the mode of policing of the police force of North Rhine-Westphalia (in the realm of basic police work) to the mode of policing of police officers from a department within the federal state of Lower Saxony.

Fourthly, and maybe most importantly, Liedenbaum's research was based on the fundamental assumption, that if the community characteristics of the Netherlands and North Rhine-Westphalia are (almost) identical, that the modes of policing of the Dutch police force and the police force of North Rhine-Westphalia mainly differ depending on both institutional environmental and organizational factors. In order to explain the differences in the modes of policing of the two forces, her study specifically analyzed how characteristics of the Dutch and North Rhine-Westphalian police systems (macro-level) and internal conditions of the two police organizations (meso-level) affect the modes of policing on the work floor (micro-level).

For the specific context of this study, however, the assumption that the environmental variables in terms of the community characteristics are (almost) identical cannot be made at all. Compared to about 890.000³ asylum-seekers and other migrants that entered Germany in the year 2015 (Federal Ministry of the Interior, 2016), only about 58.800 asylum-seekers and other migrants entered the Netherlands in the same period (IND, n.d.). Based on the statement of the president of the German Federal Criminal Office, Holger Münch (2016), that "the absolute majority of asylum-seekers do admittedly not commit punishable acts", but that "the entire group of all asylum-seekers, too, include individuals who engage in criminal activities" (p. 2), it might be

³ The federal state of Lower Saxony alone received about 102.000 asylum-seekers in 2015 (Neue Osnabrücker Zeitung, 2016)

expected that, as the total number of asylum-seekers that entered Germany was substantially higher than the total number of asylum-seekers that entered the Netherlands, the proportion of individuals who engage in criminal activities might also be higher in Germany than in the Netherlands, accordingly.

Considering that Struik, Sickler & Pruyt (2016) state that "simply because of the growth of the population that the influx of asylum-seekers has created, the Dutch police is confronted with additional pressures and workloads" (p. 2), then it might be assumed that the considerably higher influx of asylum-seekers to Germany has created even more pressure and higher workloads for the German police.

The extent to which these distinct differences in the environmental factors on the national level also come to bear for the police department of Bramsche-Hesepe and the basisteam 'B2 Twente Noord' and therewith potentially lead to differences in the respective mode of policing is investigated in the course of this study.

In addition to the vast difference between the sheer numbers of asylum-seekers that entered Germany and the Netherlands in the year 2015, there was also a significant difference with regard to the countries of origin of the asylum-seekers that entered both countries. According to the assessment of Thränhardt (2016), one third to a half of all asylum-seekers (expressed in numbers: 297.000 to 445.000) that have arrived in Germany in 2015 came from the Balkan states. As can be seen from Figure 5, of the total number of asylum-seekers (58.800) that entered the Netherlands in 2015, only about 1.705 (roughly 2,9 percent) people came from the Balkan states.

Total 2014	Total 2015	Country of citizenship	2015												Total
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
11.595	27.710	Syrian Arab Republic	725	515	555	847	1.161	1.680	2.271	3.837	5.259	6.439	3.076	1.545	27.710
4.100	8.434	Eritrea	88	47	112	405	1.115	1.289	1.056	1.397	922	1.210	417	376	8.434
3.045	4.942	Stateless	134	119	111	119	269	303	452	615	855	1.019	587	359	4.942
1.570	3.450	Iraq	107	89	64	58	48	78	108	199	431	1.092	720	456	3.450
877	2.945	Afghanistan	92	79	70	81	83	74	97	159	184	473	910	643	2.945
746	2.074	Iran (Islamic Republic of)	52	62	37	36	42	45	58	81	113	425	735	388	2.074
89	1.016	Albania	8	17	10	13	26	40	71	79	173	285	145	149	1.016
1.527	866	Somalia	97	103	72	54	51	54	71	65	74	75	82	68	866
271	764	Ukraine	25	41	42	49	52	77	50	84	42	108	107	107	764
60	689	Kosovo / UNSCR 1244	7	21	5	20	64	162	112	107	53	58	29	51	689
5.911	5.990	Others	428	444	469	410	457	500	443	477	488	691	632	551	5.990
29.891	58.800	Total	1.763	1.537	1.547	1.892	3.368	4.302	4.789	7.080	8.594	11.875	7.440	4.693	58.800

Figure 5: Asylum Statistics of the year 2015 (IND, n.d.).

As will be shown in more detail in chapter 7.1, Germany classified the Balkan states

as safe countries of origin. Generally, applicants from safe countries of origin have almost no chance of obtaining asylum in Germany (AIDA, 2016). Still, asylum-seekers from the Balkan states, who are often referred to as irregular migrants, made up one of the largest contingents of the applicants in Germany. How was that possible? One potential explanation for this circumstance lies in the fact that, in order to avoid being identified as irregular migrants, many people from the Balkan states intentionally destroyed or withheld identity documents from the German Federal Police (Bundespolizei) when they arrived at the German border (Diab, 2017). Hence, the federal police often had no possibility to properly distinguish between those people in actual need for international protection and those potentially moving in search of better economic opportunities.

As will also be shown in more detail in chapter 7.1, entering German territory without valid identity documents is punishable under Section 95 of the German Residence Act (Aufenthaltsgesetz, AufenthG). Accordingly, police investigations are opened against foreign nationals who are accused of having entered German territory without a valid identity document.

As the number of irregular und undocumented migrants from the Balkan states that arrived in Germany was considerably higher than in the Netherlands, it can also be expected that the workload that the arrival of these irregular and undocumented migrants created for the German police is way higher than for the Dutch police.

The extent to which these distinct differences in the environmental factors on the national level also come to bear for the police department of Bramsche-Hesepe and the basisteam 'B2 Twente Noord' and therewith potentially lead to differences in the respective mode of policing is also investigated in the course of this study.

The study of Liedenbaum has impressively demonstrated that the modes of policing of the Dutch police force and the police force of North Rhine-Westphalia level mainly differ because of differences in their institutional environments and differences in their organizational structures. To a certain extent, it can be expected that differences between the modes of policing of the Dutch police force and the police force of Lower Saxony can also be ascribed to differences in their institutional environments and organizational structures. That the organizational structures of the Dutch police force and the police force of Lower Saxony do indeed differ is shown in the chapters five and six.

However, for the context of this study, it is assumed that besides differences in the institutional environments and organizational structures, preeminently differences in the external environments could be responsible for potentially observed differences in the ways in which the policing of two asylum accommodation facilities is carried out.

3. Research questions

After having provided a thorough introduction into the thesis' topic and having revealed its relevance, this section of the report finally outlines the main research question that the master thesis addresses:

Does the policing of the regular reception facility in Almelo (NL) currently differ from the policing of the arrival center in Bramsche-Hesepe (GER), and if so, which factors explain the differences?

In order to be able to give a clear and structured answer to this main research question, it is divided into the following four sub-questions that are sequently answered in the course of this master thesis report:

Sub-question 1: What differences and similarities exist between the two asylum accommodation facilities?

Sub-question 2: What are the main differences and similarities in terms of the key police problems that the police officers are confronted with in and around the asylum accommodation facilities in Almelo (NL) and Bramsche-Hesepe (GER)?

Sub-question 3: Do the police forces that are mainly responsible for policing the asylum accommodation facilities in Bramsche-Hesepe (GER) and Almelo (NL) differ in their respective modes of policing?

Sub-question 4: Which factors explain the differences between the mode of policing of the asylum accommodation facilities in Almelo (NL) and in Bramsche-Hesepe (GER)?

4. Methodology

4.1 Research purpose

"The classification of research purpose most often used in the research methods' literature is the threefold one of exploratory, descriptive and explanatory" (Saunders, Lewis & Thornhill, 2009, p.139)".

"Exploratory research seeks to investigate an area that has been underresearched. Rather than testing hypotheses, this type of research starts to acquaint a researcher with a topic, and helps him or her to gain insights into the respective subject area that might be of potential use for further investigations" (Hesse-Biber & Leavy, 2011, p. 10).

The objective of descriptive research is to "portray an accurate profile of persons, events or situations" (Robson, 2002, p. 59). "It is concerned with making complicated things understandable. In social science, it often involves summarizing specific factual information into empirical generalizations, or summarizing details of events, characteristics, cases or processes" (Punch, 2006, pp. 34-35).

"Explanatory research seeks to explain social phenomena and the relationship between different components of a topic" (Hesse-Biber & Leavy, 2011, p. 10). "It too is concerned with making complicated things understandable, but on a different level. It aims to find the reasons for things, showing why and how they are what they are" (Punch, 2006, p. 34).

It should be noted that the abovementioned types of research are not mutually exclusive. Depending on how the researcher sets up the research, it may be both exploratory and descriptive or descriptive and explanatory (Slack & Parent, 2006).

The purpose of the present master thesis is twofold, namely descriptive and explanatory. For the most part, the thesis is descriptive (sub-questions 1-3) and to a lesser extent it is explanatory (sub-question 4).

4.2 Research design

For the study at hand, a cross-sectional research design was used. A cross-sectional study involves observations of a sample, or cross section, of a population or phenomenon that are made at one point in time" (Babbie, 2007, p. 102), during a period of days, weeks or months. The period under consideration for this study extends from October 2016 to June 2017.

Cross-sectional studies are designed to look at how things are in the present, without any sense of whether there is a history or trend at work. Most cross-sectional studies actually are exploratory or descriptive in purpose, but there are also many explanatory studies that use a cross-sectional design (Babbie, 2007; Saunders, Lewis & Thornhill, 2009). "The terms cross-sectional design and cross-sectional survey are often used interchangeably. Researchers typically use one-time cross-sectional survey studies to collect data, but cross-sectional data can also be collected by interviews" (Lavrakas, 2008, p.171)

4.3 Method of data collection

Data collection methods can be classified into qualitative and quantitative methods. A useful way to distinguish between the two methods is to think of qualitative methods as providing data in the form of words, and quantitative methods as generating data in the form of numbers and frequencies that can be transformed into useable statistics (Denscombe, 2007).

"Quantitative data collection instruments are questionnaires, standardized measuring instruments, ad hoc rating scales or observation schedules" (Punch, 2006, p. 52). Qualitative data collection methods include observation, participant observation, interviewing, focus groups and case studies (Denscombe, 2007).

The data collected for the present master thesis is primarily qualitative. Data sources for answering the first sub-question were grey literature provided by the German Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF) and the Dutch Central Agency for the Reception of Asylum-Seekers (Centraal Orgaan opvang asielzoekers, COA), the respective websites of the BAMF and the COA, e-mail communications with employees of the BAMF and the COA as well as newspaper articles of two relevant local newspapers, namely the German 'Neue Osnabrücker Zeitung' and the Dutch 'Tubantia' (only newspaper articles that were published by both newspapers between January 2015 and June 2017 were considered). For the 'Tubantia' newspaper the following search terms were used: 'AZC Almelo', 'Incident(en) AZC Almelo', 'Politie inzet AZC Almelo', 'Politie AZC Almelo' and 'Onrust AZC Almelo'. For the 'Neue Osnabrücker Zeitung' the author of this report used the following search terms: 'Flüchtlingsunterkunft Bramsche', 'Flüchtlingsunterkunft Hesepe', 'Vorfall Flüchtlingsunterkunft Bramsche', 'Vorfall

Flüchtlingsunterkunft Hesepe', 'Polizei Flüchtlinge', 'Polizei Flüchtlingsunterkunft', 'Straftaten Flüchtlinge'.

For answering the second and the third sub-question, data was obtained from face-to-face semi-structured interviews (N=6; German police officers N=3, Dutch police officers N=3) with police officers from the two police departments/units under examination. In order to be able to gain an understanding of views from both an operational and strategic point of view, the interviews were conducted with police officers of different ranks and assigned tasks. A more detailed overview of the interviewed police officers can be found in the two graphics given below:

Name of police officer	Gender	Police officer since	Rank	Branch	Foreign Language skills	Exclusively deployed in asylum-seekers center
Oldiges	Female	1990	Police Senior Councilor (Polizeioberrätin)	Superintendent (Leitung)	English	No
Richter	Male	1979	Police Senior Inspector (Polizeioberkommissar)	Criminal and investigation service (Kriminal - und Ermittlungsdienst)	English	Yes
Otte	Male	1986	Police Inspector (Polizeikommissar)	Criminal and investigation service (Kriminal - und Ermittlungsdienst)	English + some French	Yes

Figure 6: Overview interviewees Bramsche-Hesepe

Name of police officer	Gender	Police officer since	Rank	Branch	Foreign Language skills	Exclusively deployed in asylum-seekers center
Elzinga	Male	1978	Police Sergeant (Brigadier)	Neighborhood police officer (Wijkagent)	Englisch	No
Brummelhaus	Male	1998	Police Sergeant (Brigadier; currently in training as an Inspector (Inspecteur)	Team leader ward team (Teamchef Wijkteam)	Some English + some German	No
Kootstra	Female	1985	Special Investigation officer (Buitengewoon opsporingsambtenaar, BOA)	AVIM (Afdeling Vreemdelingenpolitie, Identificatie en Mensenhandel)	English+ French	No

Figure 7: Overview interviewees Almelo

The interviews had a duration of 60-90 minutes and were recorded with interview recording software on a personal computer ('Listen N Write'-software). Semi-structured interviews were chosen as the method of data collection, because it was perceived as important to be able to ask supplementary questions that add significance and depth to the data. Semi-structured interviews provide the researcher with the opportunity to probe answers, where he or she wants the respondents to explain, or build on, their responses (Saunders, Lewis & Thornhill, 2009, p. 324).

All interviews were held in the office premises of the police officers' respective police station. The interviews were conducted until clear and persistent themes were identified and the author of this master thesis felt satisfied that the questions were answered in depth and saturation was reached. The pre-determined set of questions that was covered in all of interviews can be found in the appendix of this report.

The answer to the fourth sub-question does to a large extent depend on whether actual differences in the ways in which the two asylum accommodation facilities under examination are policed do exist. For the case that differences exist, it can, in accordance with the theoretical perspectives that were presented earlier throughout this report, be expected that differences in the organizational structures and in the external environments of the two police units under study also lead to differences in the ways in which they police the respective asylum accommodation facility.

In other words, the potentially disclosed differences between how the two asylum accommodation facilities are policed, will partly be explained by detecting differences in the respective external environmental conditions and organizational structures. Furthermore, as the individual semi-structured interviews were held on several consecutive days, the interview respondents were confronted with disclosed differences and were asked to deliver an explanation thereof, if possible.

4.4 Data analysis

As has been indicated earlier in this report, (predominantly qualitative) data was obtained with the help of semi-structured face-to-face interviews (N=6) with police officers from the two police units under examination.

The semi-structured face-to-face interviews were recorded with interview recording software on a personal computer ('Listen N Write'). The recorded audio files were subsequently transcribed verbatim. It should be noted that the interviews with the

German police officers were held in German language, while the interviews with the Dutch police officers were either held in English or Dutch language (according to the respective language skills of the interview participants).⁴

For the analysis of the transcripts, the thematic analysis-approach was chosen. According to Lapadat, (2010) "thematic analysis is not a research method in itself, but rather an analytic approach and synthesizing strategy used as part of meaning-making process of many research methods" (p. 926). Thematic analysis can be used to manage and to make sense of large volumes of data in order to systematically gain knowledge and empathy about a person, an interaction, a group, situation or organization (Komori, n.d.). "The basic analytic strategy used in thematic analysis is coding, a process of closely inspecting text to look for recurrent themes, topics, or relationships, and marking similar passages with a code or label to categorize them, that enables the researcher to build a complex descriptive or explanatory analysis of the case or multiple cases" (Lapadat, p. 926). Thematic analysis is a highly inductive strategy in which themes emerge from the data that is gathered and are not imposed or predetermined by the researcher (Komori, n.d.).

The interview transcripts were printed, carefully read and notations (by hand) were made in the margins. Based on these notations, the researcher created a coding guide that went through several iterations (or coding rounds). Once the coding guide was complete, the researcher divided the transcripts and coded them according to the previously determined coding guide. From the codes, the researcher identified predominant themes and patterns which emerged from the data. These predominant themes and patterns then served as the basis to answer the second and the third (and partly also the fourth) sub-question of the master thesis.

For answering the first sub-question, a document analysis was conducted. Document analysis is a form of qualitative research in which data is examined and interpreted in order to elicit meaning, gain understanding, and develop empirical knowledge (Corbin & Strauss, 2008). Analyzing data stemming from documents incorporates

⁴ Five out of six police officers only agreed on participating in the research project if the interviews are conducted in their native language, although they have previously stated to have command of the English language

coding the content into themes and patterns similar to how interview transcripts are analyzed (Bowen, 2009).

The following written documents were subjected to the document analysis: grey literature provided by the German Federal Office for Migration and Refugees (BAMF) and the Dutch Central Agency for the Reception of Asylum-Seekers (COA), the respective websites of the BAMF and the COA, e-mail communications with employees of the BAMF and the COA as well as online newspaper articles of two relevant local newspapers, namely the German 'Neue Osnabrücker Zeitung' and the Dutch 'Tubantia' (to recall: only newspaper articles that were published by both newspapers between January 2015 and June 2017 are considered).

As in the case of the interview transcripts, the aforementioned documents were printed, carefully read and notations (by hand) were made in the margins. After that, the notations were utilized to create a coding guide. Once the coding guide was complete, the researcher divided the documents and coded them according to the previously determined coding guide. From the codes, the researcher identified predominant themes and patterns which emerged from the collected data.

4.5 Sampling technique

The sampling technique used for this study was purposive sampling. According to Babbie (2007), purposive sampling is "a type of non-probability sampling in which the units to be observed are selected on the basis of the researcher's judgment about which ones will be the most useful or representative" (p. 184). The interview participants were selected due to their particular knowledge and experience about the policing of asylum accommodation facilities (within their respective jurisdictions). Due to the fact that all of the participants are responsible for the organization of the police work in/around the reception facilities under study and/or perform their police service in/around these facilities, they all were designated as being the most useful and representative informants for the purpose of this study.

4.6 Ethical issues

To ensure an ethically responsible research practice, employees and students from the faculty of BMS can start research with human beings only after their intended research proposal has been assessed. The web application form for the intended

research proposal was transmitted on 6 April 2017 and approved by Dr. Henk van der Kolk on 13 April 2017.

4.7 Limitations of the study

All studies have limitations. This one is no exception. Qualitative research in general, and the use of semi-structured interviews as a qualitative research method in particular, is often "criticized as being biased, small-scale, anecdotal and/or lacking rigor; however when it is carried out properly it is unbiased, in depth, valid, reliable, credible and rigorous. In qualitative research there needs to be a way of assessing the extent to which claims are supported by convincing evidence. Although the terms reliability and validity have been associated with quantitative research, increasingly they are being seen as important concepts in qualitative research as well" (Anderson, 2010, p. 2).

For instance, the lack of standardization in semi-structured interviews may lead to concerns about reliability. Reliability is a matter of whether a particular technique, applied repeatedly to the same object, yields the same results each time (Babbie, 2007, p. 143). One response to the issue of reliability is that findings derived from non-standardized research methods, such as semi-structures interviews "are not necessarily intended to be repeatable since they reflect reality at the time they were collected, in a situation which may be subject to change" (Saunders, Lewis & Thornhill, 2009, p. 326). As the policing of asylum accommodation facilities is a complex and dynamic process that might change over time (due to changes in the ethnical composition of the center, the occupancy rate of the center, number and quality of problems and crimes committed, etc.) it is conceivable that other researchers yield different results when they replicate the study at a much later point in time. If, however, other researchers repeat the study in the relatively near future, the author of this report is convinced that they would find similar results.

In quantitative terms, "validity refers to whether a measurement instrument actually measures what it is purported to measure" (Babbie, 2007, p. 153). Hammersly (1992) provides a qualitative perspective: "an account is valid or true if it represents accurately those features of the phenomenon that it intended to describe, explain or theorize" (p. 69). The success and validity of describing and explaining a phenomenon through the help of semi-structured interviews thus rests on the extent to which the respondents' insights and opinions are truly reflected. Therefore, for

ensuring a high degree of validity when conducting qualitative semi-structured interviews, the following applies: "in order to understand other persons' constructions of reality, we would do well to ask them...and to ask them in such a way that they can tell us in their terms (rather than those imposed rigidity and a priori by ourselves) and in a depth which addresses the rich context that is the substance of their meanings" (Jones as cited in Punch, 2014, p. 144). As can be seen from this quotation, on the one hand the validity and the quality of the information obtained from a semi-structured interview are largely dependent on the interviewer, who should clearly avoid an interview bias. The author of this study is convinced that this condition has to the greatest possible extent been fulfilled.

On the other hand, there is also an important role for the respondents to contribute to the quality and validity of the information that can be obtained from interviews. Strongly relying on the answers from informed police personnel might raise problems of validity if the respondents are lying or deliberately concealing information. While it can neither be entirely ruled out that the respondents of this study lied, nor that they concealed information (for instance due to police tactical reasons), the author of this report never had the impression that the respondents deliberately lied or concealed important information.

With a number of only six respondents (N=6), the study indeed has to cope with the reproach to be small-scale. One common criticism levied at qualitative research is that the results may not be generalizable to a larger population if the sample size is small (and if the subjects were not chosen randomly) (Hancock, 1998). For the conducted study this is not a mayor problem, since the original research purpose of the master thesis was to gain an in-depth understanding of the differences in the way in which the two asylum accommodation facilities under study are policed and not to generalize these insights to larger or other (police-) populations.

Reproaches that the sample size might still be too small for the stated purpose of the research are refuted by arguments of data saturation. The author of this thesis is convinced that no further interviews would have generated new information or insights.

A further limitation of the master thesis is that the special niche of policing asylum accommodation facilities has hitherto remained a largely unresearched area, an

untrodden territory. As a consequence, studies on which one may rely for the corroboration of one's own findings are not (yet) available.

5. The police force of Lower Saxony (GER)

Strictly speaking, the Federal Republic of Germany has never had one police organization: what is commonly called 'the police' consists in fact of two independent entities, namely the sixteen police forces of the individual federal states (Bundesländer) that Germany is comprised of and the police forces of the federation (Bund) (Capoccia, 2010). The latter include "the federal police (Bundespolizei) for the protection of the external borders, the railway system and the airports as well as the Federal Criminal Police Office (Bundeskriminalamt), which is mainly responsible for the federal coordination of criminal investigations and the prevention of threats affecting more than one federal state (such as organized crime and terrorism). Both are under the supervision of the Federal Ministry of the Interior (Bundesinnenministerium)" (Aden, 2017, pp. 121-122).



Figure 8: Police Directorates of Lower Saxony (Polizei Niedersachsen, n.d.)

Although the German Basic Law (Grundgesetz) provides for ordinary federal authority in central areas of law enforcement (Federal Ministry of the Interior, 2017), the sixteen federal states "are in fact the dominant political authority for making policy

on security and policing issues" (Aden & Frevel, 2017, p. 230). This is due to the federal structure of the Federal Republic of Germany which provides the federal states with the "authority to maintain their own police forces within their territory, along with the right to pass legislation and exercise police authority" (Federal Ministry of the Interior, 2017, n.p.).

As a result, "each federal state has its own police law, organizational structure (with slightly different nomenclature of units and departments), system of oversight and system of police training and career paths for officers. In this system of federalism the federal states have scope for the setting of the political agenda for policing and security. This includes aspects of police 'philosophy', financial endowment, political priorities of the parties involved in coalition governments and ideas of how to steer public administration. The consequences are obvious: a range of differences in several areas of police organization and policing" (Aden & Frevel, 2017, pp. 230-231).

The police force of Lower Saxony is subordinated to the Lower Saxony Ministry of Interiors and Sport (Lower Saxony Ministry of Interiors and Sport, 2016).

The organization and the main responsibilities of the police force are laid down in the Public Order and Security Act of Lower Saxony (Niedersächsisches Gesetz über die öffentliche Sicherheit und Ordnung, Nds. SOG).

Within the federal state of Lower Saxony, six regional police directorates in the cities of Braunschweig (BS), Göttingen (GÖ), Hannover (H), Lüneburg (LG), Oldenburg (OL) and Osnabrück (OS) (see Figure 8) avouch the execution of basic police duties and take over the management of special police operations. In addition to that, they also fulfill important tasks in the realm of disaster management, fire prevention and civil protection.

Each police directorate disposes of a central criminal investigation unit (Zentrale Kriminalinspektion, ZKI), which deals with serious criminal phenomena, such as gang crime, organized crime and corruption (Polizei Niedersachsen, n.d.).

Furthermore, each police directorate consists of five to seven police inspections (Polizeiinspektionen), which are responsible for the execution of basic police duties. In total, there are 33 police inspections in the federal state of Lower Saxony. Subordinate to the 33 police inspections, there are 89 police departments

(Polizeikommissariate) and five highway patrol departments (Autobahnpolizeikommissariate), which have a functional responsibility for emergency services and patrol duties, including road safety work, criminal investigations and prevention activities (Polizei Niedersachsen, n.d.).

The central police directorate (Zentrale Polizeidirektion, ZPD) of Lower Saxony, which is located in the city of Hannover, is responsible for the provision and the management of the riot police, the water police forces and the helicopter squadron. It is furthermore in charge of the management of information-and communications technologies, the vehicle fleet and operating resources (Polizei Niedersachsen, n.d.).

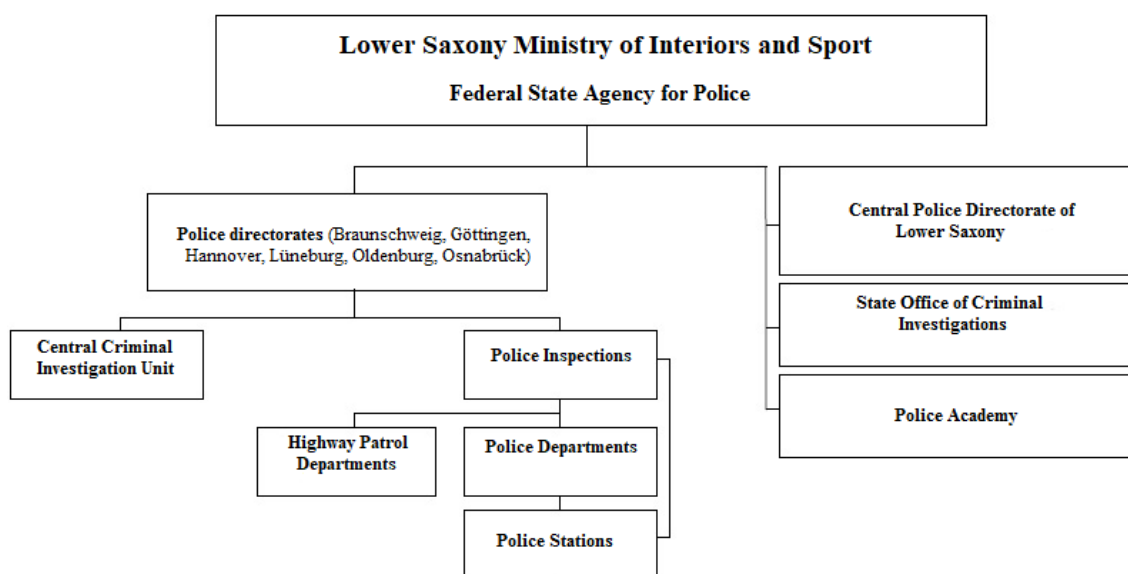


Figure 9: Organizational chart of the police force of Lower Saxony (Polizei Niedersachsen, 2017)

The state office of criminal investigations (Landeskriminalamt, LKA) is the central authority responsible for supervising the criminal investigation activities of Lower Saxony's police forces. It is furthermore in charge of guaranteeing the concerted cooperation of Lower Saxony's police forces with the German Federal Government and the police forces of the other federal states (Bundesländer) in criminal matters. Aside from performing definite investigation responsibilities, the state office of criminal investigations also supports other police authorities by providing them with specialists, experts and specialized technologies (Polizei Niedersachsen, n.d.). The police academy is in charge of the selection of police officers, education and training of police officers and research matters (Polizei Niedersachsen, n.d.).

5.1 Police department of Bramsche

As has been indicated earlier throughout this report, the main focus of the master thesis is upon the police work of one police department in the federal state of Lower Saxony only, namely the police department of Bramsche. The police department of Bramsche belongs to the police inspection of Osnabrück, which again is subordinated to the police directorate of Osnabrück.

To the police department of Bramsche belong the local police stations of Wallenhorst, Bohmte, Bad Essen and Ostercappeln. Together, they are responsible for providing police service in the town of Bramsche with its districts Achmer, Balkum, Engter, Epe-Malgarten, Evinghausen, Hesepe (location of the arrival center), Kalkriese, Lappenstuhl, Pente, Schleptrup, Sögel and Ueffeln, as well as the municipalities of Wallenhorst, Bohmte, Ostercappeln and Bad Essen with a total population of about 95.000 people (Polizeidirektion Osnabrück, n. d.).

While the 89 police departments within the Federal State of Lower Saxony certainly differ in terms of the (geographical) area size that they are responsible for, the number of police officers and their budgets, they are basically identical with regard to their structure, organization and mission statement (Lower Saxony Ministry of Interiors and Sport, 2016).

According to the Lower Saxony Ministry of Interiors and Sport, all police departments have to ensure that "police responsibilities in the areas of danger prevention, combating crime, traffic safety and crime prevention are guaranteed within their respective jurisdictions" (2016, n. p.).

All police departments in Lower Saxony are headed by a superintendent. In the case of the police department of Bramsche, this responsibility is fulfilled by police senior councilor Oldiges. The superintendent carries out (internal) administrative tasks and is accountable for the preventive police work (Lower Saxony Ministry of Interiors and Sport, 2016).

All other police officers within the police department are divided into two main branches. These are the operational and patrol service (Einsatz- und Streifendienst, ESD) and the criminal and investigation service (Kriminal- und Ermittlungsdienst, KED). "Whereas the uniformed patrol police in general are mainly concerned with maintaining the peace and law enforcement in minor transgressions, the criminal investigation police deal with offenses and crimes of higher intensity" (Feldes & Dinca,

2012, p. 192). More specifically, the police officers that belong to the operational and patrol police perform general public security functions, such as responding to emergency calls, patrolling the streets, resolving conflicts, rendering assistance to police actions during extraordinary events as well as helping people in different situations (Lioe, 2010).

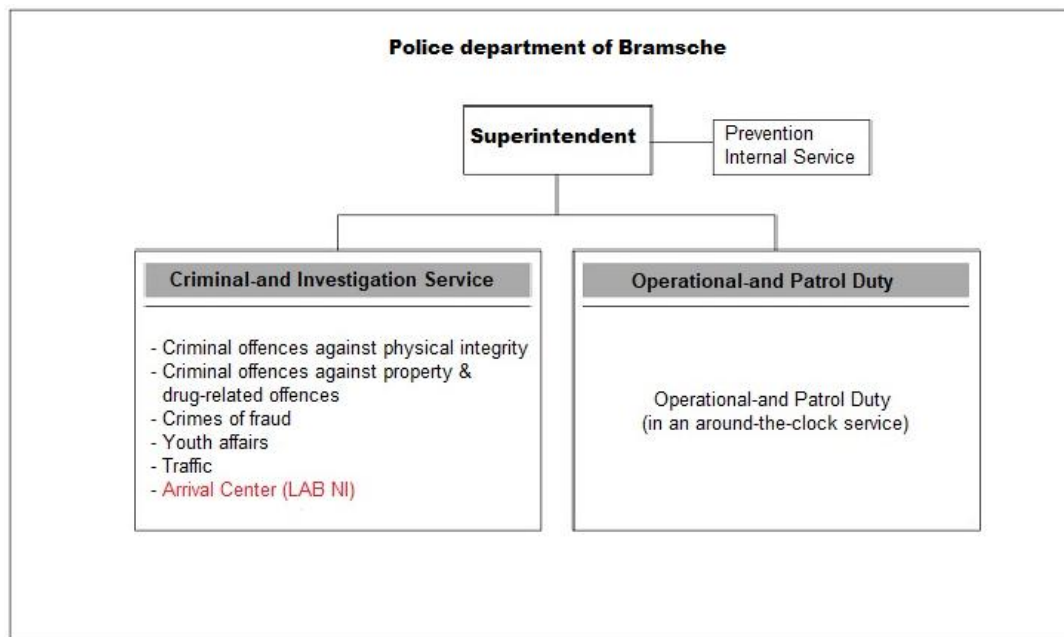


Figure 10: Police department of Bramsche (Own drawing)

For the criminal investigative duties, the police department of Bramsche has twenty police officers at its disposal (Oldiges, 2016). For the operational and patrol duties, the police department commands another 36 police officers (Oldiges, 2016).

Police officers of the criminal investigative service are specialized on the prevention and prosecution/investigation of all other, mainly severe crimes (usually starting from robbery, serious assault, as well as breaking and entering (Feltz, 2005). For that purpose, the criminal investigative police within the Federal State of Lower Saxony are divided into, at least, five major investigative areas. These are as follows: criminal offenses against physical integrity, criminal offenses against property and drug-related offenses, crimes of fraud, youth affairs and traffic (Lower Saxony Ministry of Interiors and Sport, 2016).

At this point, it should be noted that no matter the specific branch of the police service and the seriousness of a crime, "the police must investigate all crimes, which

come to their knowledge. The principle of legality, laid down in the German Code of Criminal Procedure (Strafprozessordnung, StPO), regulates that the police are not allowed to dismiss any case. This may only be done by the public prosecutor (Staatsanwaltschaft). When a person is suspected of a crime, it is the public prosecutor's duty to lead the investigations with the assistance of the police, who in such cases are subject to the supervision and factual instruction of the public prosecutor's office" (Feldes & Dinca, 2012, p. 192).

One particularity that distinguishes the police department of Bramsche from many other police departments within the Federal State of Lower Saxony is that the police directorate of Osnabrück decided to add a further investigative area to the already existent five major investigative areas in the realm of the criminal and investigative service within the police department of Bramsche. As can be seen from Figure 10, this is the investigative area called 'Arrival Center (LAB NI)'. For this specific investigative area, the police department of Bramsche assigned three police officers (of whom two have been interviewed for this study) that are exclusively deployed for policing the arrival center that is located in the district of Hesepe. Those three police officers are not housed in the actual police building of the police department of Bramsche. Instead, they perform their criminal investigative duties in a branch office that the police department of Bramsche maintains on the premises of the asylum accommodation facility (Oldiges, 2016; Otte, 2016; Richter, 2016). All three police officers are uniformed and carry their service weapons (Richter, 2016). The primary tasks of those very police officers encompass investigation activities, criminal prosecutions and the prevention of hazards (Oldiges & Dierker, 2016).

6. Netherlands Police

In the Dutch context, the term 'police' can either refer to the Netherlands Police (Politie) or to the Royal Dutch Military Constabulary (Koninklijke Marechaussee, KMar). Both organizations have general policing responsibilities, albeit with a different scope of assigned tasks. While the Netherlands Police are responsible for the primary policing tasks of crime prevention, the investigation of crime, the maintenance of legal public order and the provision of assistance to citizens in need of help, the Royal Dutch Military Constabulary are responsible for specific policing tasks that center around border policing, guarding and securing as well as

international and military policing (van der Laan et al., 2016). The prime focus of this report, however, lies on the Netherlands Police, which has recently undergone a major reorganization.

The reorganization of the police, which came into effect on 1 January 2013, brought about some changes to the police management structure and the division of police responsibilities in the Netherlands. As of that date, the former relatively autonomous 25 regional police forces and the Dutch Police Services Agency (Korps Landelijke Politiediensten, KLPD) merged into a centrally directed single national police force, which operates under the authority of the Ministry of Security and Justice (Government of the Netherlands, 2013). "The main goal for this reorganization was to enhance the performance of the police on a national scale and to increase the efficiency of the organization" (Boin & de Jongh, 2016, p. 45).

The restructured police force is lead by one police commissioner and consists of ten regional units (as indicated by Figures 11 and 12), a national unit (Landelijke Eenheid), as well as a police service center. The service center assumes responsibility for handling all support services related to the operational management of the national police, such as information technology, purchasing, accommodation and human resources.

"The national unit (Landelijke Eenheid) consists of seven specialized forces that carry out particular police duties that can best be performed at national level" (Ministry of Security and Justice, 2011, p.2). Among them are for instance the fight against organized crime, terrorism, sex crimes committed against children and environmental crimes (Jansen et al., 2013). Furthermore, the national unit provides expertise, equipment and extra manpower to the ten regional units in order to raise their efficiency during certain operations (Interpol, 2017).

The ten regional police units (Regionale Eenheden), which are each headed by its own chief constable, are responsible for providing the relevant police services within their respective geographical regions. For that purpose, the regional units are subdivided into a (varying) number of districts (territorial) and five prescribed divisions (functional).

The divisions installed in each of the regional units are as follows: regional operations division (the link between the regional police organization and the activities of the police on the ground), regional business operations division, regional intelligence division (information gathering, analysis and investigation), regional operational

cooperation division (conflict and crisis management, custody care) and regional criminal investigations division (investigations of criminal groups and serious crime) (Interpol, 2016).

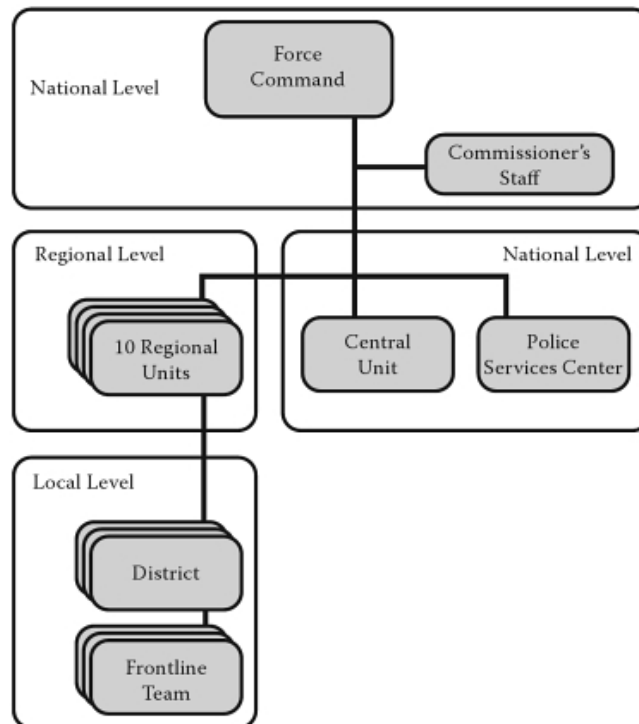


Figure 11: Organizational chart of the Netherlands Police (Hulshof, Heijmerikx et al., 2014, p. 107)

For the context of this study, it is at this point important to mention, that the regional criminal investigations division also includes a special police unit, named Aliens police, Identification and Migration Crime Unit (Afdeling Vreemdelingenpolitie Identificatie en Migratiecriminaliteit, AVIM) (Interpol, 2016). Within central reception centers for asylum-seekers (as for instance in the village of Ter Apel), officers of the AVIM are responsible for recording asylum-seekers' personal data, including name, date of birth and nationality. Furthermore, they also take photos and fingerprints of all asylum-seekers arriving in the Netherlands (Government of the Netherlands, n. d.). Within the regional police units, the AVIM is also responsible for the enforcement and surveillance of persons with an illegal asylum status, identification of these people and investigations of migration crime and human exploitation (Loyens, n. d.).

Depending on the respective population size and the crime level, each of the ten regional police units is geographically divided into a number of police districts, which are again subdivided into several local basic units, the so-called frontline teams (basisteam). These basisteam provide the basic police services in a municipality, part of a large municipality, or a cluster of smaller ones (Government of the

Netherlands, n. d.). They usually operate from one or more police stations (politiebureau) and consist of constables, senior constables, neighborhood police officers (wijkagenten), detectives and one or more team chiefs. Their duties consist of many territorially bound activities, such as answering calls for emergency assistance, patrolling the streets, resolving traffic-related issues, conducting basic investigative activities and keeping in touch with the happenings and sentiment of the general public, business institutions, neighborhood associations, and other interest groups (Van Sluis & Van Os, 2013).

In addition to the basisteam, each district commands a criminal investigation unit (Districtsrecherche) and a so-called flexteam, which provides support in the case of the basisteam facing a staff shortage (Interpol, 2017).



Figure 12: A single national Dutch police with ten regional units (Ministry of Security and Justice, 2011, p. 4)

It should be noted that, "although the formal management of the police in the Netherlands has admittedly shifted to the national level (i.e. the power to make decisions on the resources and the organization of the police) as a result of its reorganization, the authority over the police at the local level has not changed.

Here, the non-elected mayors retain their formal authority over the local police as far as the enforcement of public order (including service tasks) is concerned" (Terpstra & Fyfe, 2015, p. 11). As was the case in the former Dutch police system, the authority

over the police in regard to the enforcement of criminal law also still lies with the public prosecutor. "Since the enforcement of public order and criminal law are closely related, there is a need for regular consultation between the actors responsible for them. This is organized in what is called a local triangle (Gezagsdriehoek), participated by the mayor, the public prosecutor, as well as the local police chief" (Terpstra, 2011, p. 3). Together, they make agreements about local police priorities and crime fighting.

"The Dutch legal system is based on the principle of opportunity instead of the legality principle. The opportunity principle implies that the public prosecutor has the exclusive authority to prosecute or dismiss suspects" (Zouridis, 2016, p. 80). "Thus, even in countries where the opportunity principle applies, the police theoretically are not allowed to end cases, but instead are obliged to pass them on to prosecutors to decide. The Netherlands appears to be an exception to this rule: a clear legal framework is in place which allows the police to end cases by imposing a condition in accordance with general guidelines of the prosecutor generals" (Kyprianou, 2009, p. 92)

6.1 Basisteam 'B2 Twente Noord'

As has been indicated earlier throughout this report, it is the declared aim of this study to compare the policing of the asylum accommodation facility in Bramsche-Hesepe to the policing of the facility in Almelo. Almelo is a city in the eastern Netherlands that falls into the jurisdiction of the regional police unit of Eastern-Netherlands (Oost-Nederland) (marked with number 2 in Figure 12). The police unit of East-Netherlands consists of five districts, namely IJsselland, Twente, Noord-Oost-Gelderland, Gelderland-Midden and Gelderland-Zuid (Oude Booijink, 2014). The city of Almelo belongs to the district of Twente (area colored in turquoise in Figure 13). The district of Twente is composed of the municipalities of Almelo and Twenterand. According to the Dutch Central Agency for Statistics (Centraal Bureau voor de Statistiek, CBS), both municipalities have a total population of about 106.324 people (Almelo: 72.479; Twenterand: 33.845) (2017).⁵

⁵ Effective 1 January 2017

The appropriate basisteam for both municipalities is called 'B2 Twente Noord'. According to the enclosure of the Ministry of Security and Justice's establishment plan for the Netherlands Police, the basisteam 'B2 Twente Noord' is provided with 139 police officers possessing formal police powers and one further colleague who does not possess formal police powers (2012, p. 35). It is envisaged that of the 139 police officers with formal police powers, 24 police officers should be deployed as neighborhood police officers (wijkagenten).

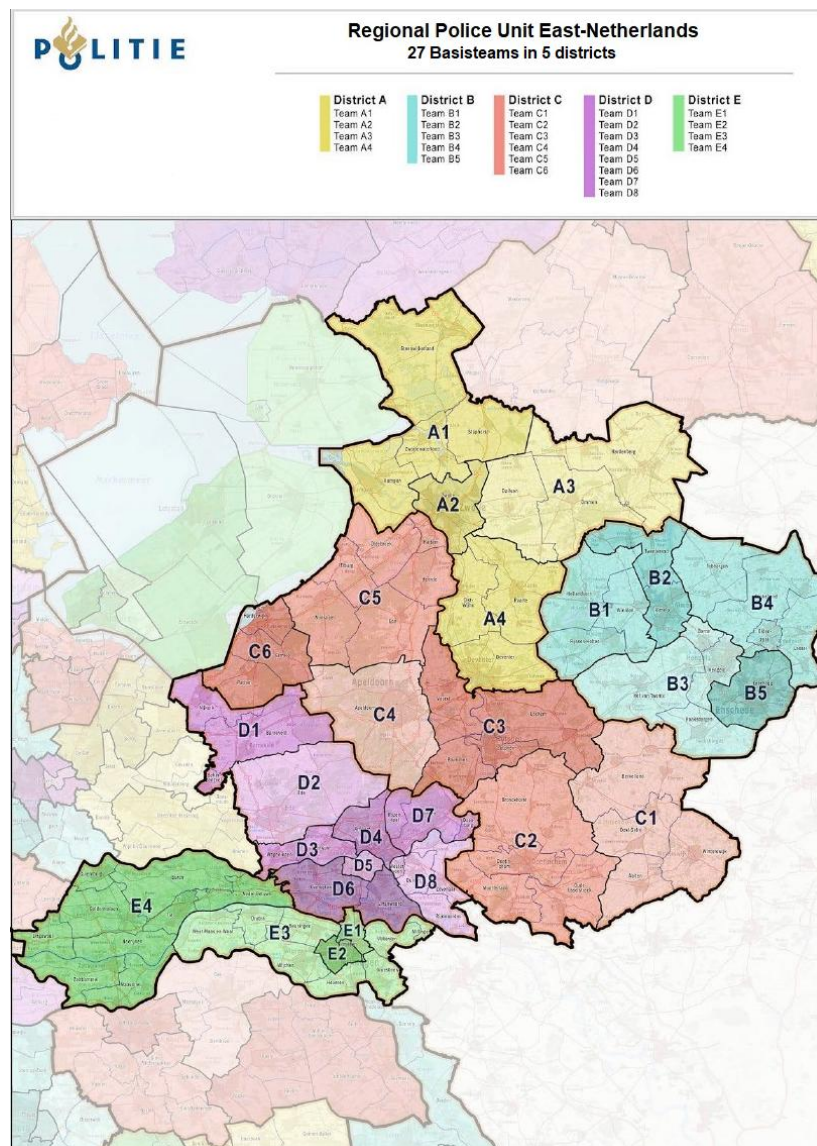


Figure 13: Regional police unit of East-Netherlands (Ministry of Security and Justice, 2012, p. 29)

Furthermore, the criminal investigation unit (Districtsrecherche) that is responsible for the investigations of more serious crimes on the territory of the entire district is staffed with 96 police officers and the flexteam, which provides support in case that

any of the five basisteam within the police district of Twente faces a staff shortage, has 22 police officers at its disposal.

DISTRICT B		East-Netherlands	Community police officers
Basisteam B1	OS	91	19
	NOS	1	
Basisteam B2	OS	139	24
	NOS	1	
Basisteam B3	OS	190	32
	NOS	1	
Basisteam B4	OS	109	19
	NOS	1	
Basisteam B5	OS	232	33
	NOS	1	
Districtsrecherche B	OS	96	
	NOS		
Flexteam B	OS	22	
	NOS		
Total OS		880	127
Total NOS		4	

6

Figure 14: Distribution of police personnel per basisteam (Ministry of Security and Justice, 2012, p. 32)

7. Main differences and similarities between the two asylum accommodation facilities under study

It is the declared aim of this chapter to answer the following sub-question: what differences and similarities exist between the examined asylum accommodation facilities? For this purpose, a detailed description of the arrival center in Bramsche-Hesepe and a brief overview of the role that this facility plays in the German asylum system are given. The same procedure is repeated for the regular reception facility in Almelo. In a concluding paragraph, the main observed differences and similarities are elaborated and summarized.

7.1 Description of the arrival center in Bramsche-Hesepe

After having provided the overview of the respective police forces, this section of the master thesis is devoted to shed light on the accommodation facilities for asylum-seekers under study, beginning with the facility in Bramsche-Hesepe.

⁶ In Figure 14, NOS stands for 'Niet operationele sterkte' (police personnel without formal police powers) and OS means 'Operationele sterkte' (police personnel with formal police powers)

As has been previously stated, the reception facility is located in Hesepe, a small rural suburb of the town of Bramsche with about 2.500 inhabitants. The facility is accommodated in a former NATO-caserne and lies approximately seven km outside the town center of Bramsche. Since 1989, the real estate has been continuously used for the accommodation and the sustenance of vulnerable people with non-German citizenship. From 1989 until 2000 it served as a transit camp (Grenzdurchgangslager) for late repatriates (Spätaussiedler). In the period from 2000 until 2004, the facility was used as a reception center (Landesaufnahmestelle) for late repatriates and Jewish migrants from countries of the former Soviet Union. From 2004 until 2014 the real estate was utilized as a communal accommodation for male and female foreigners (Ausländer(innen)) (LAB NI, 2014). As of 2014, the former caserne serves as an asylum accommodation facility.

Since November 2016, however, the Federal Office for Migration and Refugees (BAMF) also established a so-called arrival center (Ankunftszentrum) on the premises of the facility (Neue Osnabrücker Zeitung, 2016b, n. p.). Consequently, in its current form, the facility in Hesepe constitutes a hybrid between an asylum accommodation facility and an arrival center.

In order to be able to fully understand which important role the newly created arrival centers play for the rectified asylum regime in Germany, it is perceived as inevitable to initially present a small review of the structural and organizational problems in the management of Germany's own migration and refugee-crisis.

In the face of the massive inflow of asylum-seekers, both, migration control structures and registration procedures for asylum-seekers appeared to break down in the late summer of 2015 in Germany (Heckmann, 2016).

In the regular process, newly arrived asylum-seekers were supposed to be received by the German Federal Police (Bundespolizei) at their points of entry, often train stations close to the Austrian border (Gehrsitz & Ungerer, 2017). After being apprehended by the German Federal Police, all asylum-seekers should have been subjected to measures for the establishment of their identity. For that purpose, the German Federal Police was expected to collect the personal data of all asylum-seekers, such as name, date and place of birth, photographs and fingerprints and to enter that data into a central IT system (Jödecke, 2016). After the completion of this process, it was envisaged that the German Federal Police take all properly identified asylum-seekers to a first medical screening.

Subsequently, the German Federal Police should then have finally transferred the asylum-seekers to the closest initial reception center operated by the BAMF, as only the BAMF is entitled to register an asylum application in Germany (AIDA, 2016). In these initial reception centers, employees of the BAMF were expected to register all asylum applications in the so-called EASY system- an IT system for the pre-registration and first allocation of asylum-seekers to the reception facilities of the competent German Federal State.⁷ It should be noted that "EASY only registers an asylum-seeker's country of origin and destination and then anonymously distributes them between the federal states" (Frank et al., 2017, p. 25). In a next step, the pre-registered asylum-seekers should then have been provided with a train or bus ticket in order to travel to the assigned reception facilities in the federal states. Once arrived in the reception center, the regular asylum procedure should have been initiated and people should have been officially given asylum-seeker status (AIDA, 2016).

But from the late summer of 2015 onwards, this system did not work any longer. Due to the massive inflow of asylum-seekers at that time, for the German Federal Police "no thought could be given to systematically fingerprint or photograph all asylum-seekers" (Jödecke, 2016, p. 1).

In order not to block the train stations, where most of the asylum-seekers arrived at, the police brought them to waiting zones, where they should eventually have been subjected to measures for the establishment of their identity. Due to the prolonged influx of asylum-seekers, however, "police officers were also not able to fingerprint and properly identify all new arrivals in these waiting zones within the 48-hour maximum time limit allowed by law" (Deutsche Welle, 2015, n. p.). The situation in the waiting zones was aggravated by the fact that the BAMF "did not have sufficient staff or IT capabilities to properly record and process the actual number of asylum applications" (Federal Ministry of Finance, 2017, n. p.). "Asylum-seekers were therefore frequently registered on a preliminary basis and only received a document entitled 'confirmation of having reported as an asylum-seeker' (Bescheinigung über die Meldung als Asylsuchender, BÜMA)" (AIDA, 2016, p. 18). With this document they were sent to accommodation centers or emergency shelters throughout

⁷ The distribution takes place according to quotas using the so-called "Königstein key". "In order to ensure a fair distribution of asylum-seekers to the federal states, the quota of the individual states is determined on the basis of its number of inhabitants and its tax revenues" (BAMF, 2015, p. 45).

Germany, although neither their identities were properly established, nor their asylum applications have been formally registered. Consequently, authorities "no longer had the overview of whom and how many people had actually entered the country" (Rozsa et al., 2017, p. 69). Heckmann (2016) even put it more drastically by stating that "the huge influx meant that even first-step registration (before an asylum application is filed) became backlogged, leaving hundreds of thousands of people in the country unregistered and in effect creating a population of migrants without a legal status who were either unable or unwilling to enter the asylum system" (p. 15).

The lack of systematically fingerprinting (and registering asylum applications in a timely manner) all arriving asylum-seekers has led to a number of problems in Germany. For instance, in the Federal State of Lower Saxony, 487 cases of social welfare fraud have been detected, according to a report of the German public radio and television broadcaster Norddeutscher Rundfunk (NDR) (2017). "The total fraud in Lower Saxony is estimated to have cost taxpayers three to five million Euros" (Norddeutscher Rundfunk, 2017, n. p.). The asylum-seekers in question registered themselves under different names in different reception centers throughout Lower Saxony and repeatedly received benefits for asylum-seekers (Spiegel, 2017). With this method, one asylum-seeker even managed to assume twelve different identities" (Norddeutscher Rundfunk, 2017, n. p.). While most cases of social welfare fraud were committed in the jurisdiction of the police directorate of Braunschweig, the police directorate of Osnabrück (to which the police department of Bramsche belongs) also recorded about 100 cases of welfare fraud in its jurisdiction (Neue Osnabrücker Zeitung, 2017). Social welfare frauds committed by asylum-seekers have become a major issue in Germany after it was revealed that Anis Amri, who carried out the terrorist attack on a Christmas market in Berlin, had used multiple identities to receive benefits for asylum-seekers before committing his attack (Spiegel, 2017).

As a response to the deficiencies that the massive influx of asylum-seekers and other migrants revealed in several areas of the German asylum procedure, the German government started to reform its asylum regime in late 2015 (Ciechanowicz & Gibadlo, 2015). In order to optimize the asylum procedure, it was inter alia decided that each federal state has to establish at least one so-called arrival center in its

jurisdiction. As of November 2016, there are two arrival centers in the Federal State of Lower Saxony; one in Bramsche-Hesepe and another one in Bad Fallingbommel (Lower Saxony Ministry of Interiors and Sport, 2016a).

"At the arrival centers, many previously separate steps in the asylum procedure are now bundled into one integrated process. Whenever possible, the entire asylum procedure takes place 'under one roof' in the arrival center" (BAMF, 2017, p. 42).

"This includes the medical examination, the recording of the personal data and the identity check, the asylum application, the interview and the BAMF's decision on the asylum application, as well as the initial advice on access to the labor market by the local employment agency" (BAMF, 2016, n. p.)

Upon their arrival in Germany, all asylum-seekers will now be taken straight to one of the arrival centers. Once they have arrived there, they are usually immediately subjected to the medical examination. Subsequently, the necessary measures for the establishment of their identity are initiated (including name, country of origin, date of birth, photographs and fingerprints). "Depending on their country of origin, all asylum-seekers are then sorted into four clusters" (BAMF, 2017, p. 42). These clusters are as follows:

"Cluster A: Asylum-seekers from countries of origin that receive a high rate of protection (Syria, Eritrea, Iraq)

Cluster B: Asylum-seekers from countries of origin that receive a low rate of protection (EU Member States, Albania, Macedonia, Serbia, Senegal, Montenegro, Kosovo, Ghana, Bosnia-Herzegovina)

Cluster C: Complex cases

Cluster D: Dublin cases" (BAMF, 2017, p. 42)

It should be noted that irrespective of the cluster to which asylum-seekers are assigned to, and irrespective of the outcome of the asylum procedure, all asylum-seekers in Hesepe are in accordance with Section 47 of the German Asylum Act (Asylgesetz, AsylG) "initially required to live for a period of up to six weeks, but no longer than six months" in the accommodation facility that is located on the same property as the arrival center.

Asylum-seekers belonging to the Cluster 'A' and 'B' should usually be interviewed within 48 hours after the registration of their asylum applications (AIDA, 2016).

If the personal interview of individuals that have previously been allocated to Cluster 'A' leads to a positive asylum decision, they are entitled to leave the accommodation facility in Hesepe and will quickly be sent to their assigned municipalities for integration (BAMF, 2016a).



Figure 15: Overview of the arrival center in Bramsche-Hesepe (Richter, 2016)

Generally, asylum-applications of individuals from Cluster 'B' are rejected on the basis of being manifestly unfounded. After the negative asylum decision, these individuals have to remain in Hesepe until they either voluntarily leave the country or are returned to their country of origin (BAMF, 2016a).

If capacities are available, asylum-seekers from Cluster 'C' should also be interviewed within 48 hours after their initial registration. Otherwise they have to wait in the accommodation facility until their interviews can finally be scheduled. In case that the thorough examination of their asylum applications leads to a positive asylum decision, they can leave the accommodation facility in Hesepe and are sent to their assigned municipalities for integration. In case that the asylum application has been turned down, the individuals have to remain in Hesepe until they either voluntarily leave the country or are returned to their country of origin (BAMF, 2016a).

"Interviews for Dublin cases are not scheduled until it has been clarified which EU Member State is responsible for the asylum procedure" (AIDA, 2016, p. 20). Until their interviews are scheduled, the asylum applicants from Cluster 'D' have to wait in the accommodation facility. After it has been figured out which EU State is responsible for the asylum-procedure, the Dublin cases have to remain in the accommodation facility until an order for conveyance to the respective Dublin state is issued (BAMF, 2016a).

Overall, given the fact that the facility in Hesepe constitutes a hybrid between an arrival center and an asylum accommodation facility, it can be ascertained that the individuals accommodated in the facility substantially differ in terms of their respective country of origin, motivation for migration, socio-economic status, health condition, religious belief, gender and age (etc.).

Based on their diverse individual profiles, there are also substantial differences when it comes to the amount of time that the asylum-seekers have to spend in Hesepe. While some of them leave Hesepe relatively quickly again, other individuals are obliged to live inside the asylum accommodation facility for an extended period of time" (Oldiges, 2016).

After having provided an overview about the location-specific tasks that are performed in Hesepe with regard to the German asylum regime, this section of the report now continues with describing the actual facility.

Originally designed for accommodating 600 people, the accommodation capacity in Hesepe was increased by means of residential containers, so that currently about 900 people can be accommodated there.⁸

For the accommodation of asylum-seekers there are eleven buildings available. The rooms in these buildings are generally occupied by four people. In the allocation of the rooms, the different nationalities and ethnic groupings of the asylum-seekers are taken into consideration (LAB NI, 2016). Also, there are separate buildings where families and unaccompanied women are accommodated.

⁸ It should be noted that at the peak of the refugee-crisis in the autumn of 2015, this capacity was further increased by means of tents and other emergency shelters, so that about 3.000 asylum-seekers could be accommodated. These tents and emergency shelters have incrementally been removed in the course of the year 2017.

The provision of food for all asylum-seekers occurs via a canteen and medical care is provided by means of a first aid station.

It should be noted that asylum-seekers may leave the facility at any time and can move freely within the town or district in order to do shopping for instance. However, if they want to travel to other federal states, for instance, they need a special permission (Oldiges, 2016).

Republic of Macedonia	105
Ivory Coast	88
Serbia	72
Syria	64
Sudan	42
Albania	38
Montenegro	30
Ghana	28
Iran	25
Iraq	19
Unresolved	17
Zimbabwe	15
Russian Federation	15
Guinea	13
Pakistan	11
Algeria	9
Morocco	9
Kosovo	9
Liberia	9
Somalia	7
Turkey	6
Stateless	6
Georgia	6
Colombia	5
Madagaskar	3
Eritrea	2
Bosnia and Herzegovina	1
Philippines	1
Afghanistan	1
Egypt	1
Armenia	1
Mozambique	1
Republic of South Sudan	1
Lebanon	1
Total	666

9

Figure 16: Occupancy figures Hesepe 08.05.2017 (Dech, 2017)

One special feature of the facility in Hesepe is that there is one branch of the basic school of Hesepe and the general-education secondary school (Hauptschule) of Hesepe, respectively (LAB NI, 2016).

As has already been stated in the chapter about the police department of Bramsche, another special feature of the facility in Hesepe is that the police department of Bramsche maintains an own branch office there. This office is manned with three police officers of the criminal and investigative service. Their working time is basically regulated by a flexitime system. The police officers are predominately present during

⁹ As can be seen from Figure 16, on 8 May 2017, 666 asylum-seekers were accommodated in Hesepe. Decisions about their asylum applications have not yet been taken by that time.

early and late shifts, and depending on the workload, they can to some extent determine their daily working times themselves (Oldiges, 2016).

7.2 Description of the regular reception facility (AZC) in Almelo

The regular reception facility for asylum-seekers (asielzoekerscentrum, AZC) is located in the quarter named Noorderkwartier and lies approximately two kilometers outside the city center of Almelo. The reception facility was opened in 1992 and initially primarily served for the accommodation of asylum-seekers from the former Socialist Federal Republic of Yugoslavia (COA, n.d.). Because of decreasing numbers of asylum applications filed in the Netherlands between the years 2010-2013 (Thränhardt (2016) describes this period as the "quit years" for asylum applications in the Netherlands (p. 8)), there was an overcapacity of about 3.000 reception locations (opvangplaatsen) throughout the country (Tubantia, 2012). Therefore, in the autumn of 2012, the Central Agency for the Reception of Asylum-Seekers (COA) decided to close down the facility as of 1 April 2013. This decision, however, was already withdrawn again in December 2012 (RTV Oost, 2012). The facility thus remained open and served, as of 1 May 2013, as a family reception location (gezinslocatie) where rejected asylum-seekers with children were accommodated (Rechtbank Den Haag, 2015). Due to the increased influx of asylum-seekers into the Netherlands in the year 2015, the COA made the decision to relocate all the inhabitants to other family reception locations throughout the country and to convert the family reception location into a regular reception facility (asielzoekerscentrum, AZC) for newly arriving asylum-seekers (Tubantia, 2015). According to the website of the COA, the regular reception facility itself can accommodate up to 378 people (COA, n.d.). In 2016, the COA decided to attach the so-called 'Huize Alexandra' to the regular reception facility in order to accommodate unaccompanied minor asylum-seekers there. 'Huize Alexandra' is a former closed juvenile detention center for girls, which is situated in the immediate neighbourhood of the regular reception facility. It offers room for up to 189 unaccompanied minor asylum-seekers. Thus, in its present form, a total of 567 asylum-seekers can be accommodated in the AZC Almelo (Tubantia, 2016).

In contrast to the arrival center in Bramsche-Hesepe, there is no branch police office maintained on the premises of the AZC Almelo.

In order to be able to fully understand which role the regular reception facility (and the attached reception facility for unaccompanied minors) in Almelo plays in the Dutch asylum procedure, a short overview about the Dutch asylum procedure is presented in the upcoming section of this report.

With regard to the Dutch asylum procedure, first of all a distinction must be drawn between those asylum-seekers who arrive in the Netherlands by plane or by boat and those asylum-seekers arriving by land. For asylum-seekers that arrive in the Netherlands by plane or boat, the so-called border procedure applies (IND, 2015). As a general rule, this procedure works as follows: upon their arrival in the Netherlands, the asylum-seekers are initially received by the Dutch Military Constabulary (Koninklijke Marechaussee). Officers of the Dutch Military Constabulary then record the asylum-seekers' personal details, such as name, date of birth and nationality. They furthermore examine the luggage and take photos and fingerprints of every single asylum-seeker (IND, 2015). In the next step, the asylum-seekers are taken to the application center at the Schiphol Amsterdam Airport (Aanmeldcentrum Schiphol, ACS), where the IND processes the asylum applications (AIDA, 2016a). It has to be mentioned that the ACS is a closed reception location, where the asylum-seekers are required to stay during the entire border procedure (IND, 2015). In case that an asylum-seeker is granted refugee status or subsidiary protection status he or she will be relocated to a regular reception facility such as the one in Almelo.

In case of a negative asylum decision (and after all legal instruments for appealing against the negative decision are exhausted), the rejected asylum-seekers are taken to the border detention center (Grenshospitum) where the Repatriation and Departure Service (Dienst Terugkeer en Vertrek, DT&V) initiates the asylum-seekers' repatriation to their respective countries of origin (AIDA, 2016a).

In case that asylum applications cannot be dealt with further within the border procedure in a reasonable time (i.e. complex asylum applications requiring in-depth examination), the asylum-seekers in question are relocated to regular reception facilities (i.e. Almelo) where they are accommodated until a final decision on their application is taken (IND, 2015).

Asylum-seekers that arrive in the Netherlands by land, or are already present in the country, have to immediately report at the central reception center (Centraal Opvanglocatie, COL) in Ter Apel (nearby the city of Groningen) (AIDA, 2016a). Upon

their arrival in the central reception center, the asylum-seekers are granted a rest and preparation period so that they can "cope with the stress of fleeing their country of origin and the journey to the Netherlands" (AIDA, 2016a, p. 14). Anyhow, during the rest period the asylum-seekers are already subjected to a number of preliminary registration procedures and investigations. Officers of the Aliens Police Department, Identification and People Trafficking (AVIM) conduct a search of clothing and luggage. They furthermore take photographs and fingerprints and try to establish the identity of each asylum-seeker (IND, n.d. a). For this purpose, officers of the AVIM for instance collect all carried documents and hand them over to specialists of the of the Dutch Military Constabulary who then verify the authenticity of these documents (Thränhardt, 2016). In addition to that, all asylum-seekers are subjected to a compulsory check on tuberculosis in the COL. Moreover, employees of the IND investigate whether, according to the Dublin Regulation, another EU Member State may be responsible for the asylum request. "In case a 'match' is found in the EURODAC-system, the IND can submit a request to another EU Member State to assume responsibility for the asylum application" (AIDA, 2016a, p. 15).

Subsequently, asylum-seekers are transferred to a processing reception facility (Procesopvanglocatie, POL), where the formal asylum procedure starts (Klaver, 2016).

In the first instance, all-asylum-seekers follow the general asylum procedure (algemene asielprocedure, AA). The decision-making process during this procedure is scheduled to take eight working days (Boere, 2016). During these eight days several interviews take place during which the IND collects information on the basis of which the asylum application is evaluated (COA, 2012).

After this phase is concluded, there are three different outcomes possible: firstly, the asylum-seeker is granted refugee status or subsidiary protection status and receives a residence permit. Secondly, the asylum application is rejected on the basis of being manifestly unfounded. Thirdly, the IND decides that it is not possible to make a careful decision within eight days and that the asylum application has to be dealt with in the extended asylum procedure (verlengde asielprocedure, VAP) (Thränhardt, 2016). "If an asylum application is examined in the extended asylum procedure, there is a maximum time limit for making a decision of six months" (AIDA, 2016a, p. 12).

Notwithstanding the above, after eight days in the processing reception facility, all asylum-seekers are transferred to regular reception facilities across the country, such

as the one in Almelo (IND, n.d. a). There, the next phase of the asylum procedure commences. For asylum-seekers who have been granted refugee status or subsidiary protection the "COA has fourteen days to draw up the information profile and to allocate them to a particular municipality. The municipalities then have about twelve weeks time to find appropriate accommodation and to arrange the move" (Government of the Netherlands, n.d. a). Thus, in total asylum-seekers who have been granted refugee status or subsidiary protection remain in the AZC for about fourteen weeks.

Asylum-seekers whose applications have to be dealt with in the extended asylum procedure have to remain in the AZC until the IND has finally decided about their asylum application. As stated before, this should usually happen within a period of six months (Government of the Netherlands, n.d. a).

Rejected asylum-seekers can stay in the regular reception facility for a maximum of four weeks. During these four weeks, they are expected to prepare for their departure from the Netherlands. For this process, assistance is given by the Repatriation and Departure Service. After four weeks, rejected asylum-seekers must leave the country (COA, n.d.). In case that rejected asylum-seekers do not leave the Netherlands on their own initiative after four weeks, their departure to their country of origin can become compulsory (IND, 2015a).

At this point, it has to be mentioned that the abovementioned asylum procedure was already implemented on 1 July 2010. Even if this system came under severe stress at the peak of the refugee-crisis in the year 2015, it remained intact to a large extent and did not undergo the same drastic amendments as the German asylum procedure did.

For the regular reception facility (AZC) in Almelo, this means that rejected asylum-seekers, asylum-seekers who have been granted refugee status or subsidiary protection, asylum-seekers who still have to await their asylum decision, as well as unaccompanied minors are accommodated there. Unfortunately, it is not possible to give a detailed overview about the number and the legal status of the individuals that were accommodated in the AZC Almelo at the time when this study was conducted. During the interviews, all police officers stated that they are not able to provide this type of information and that the author of this report should consult the COA in order

to obtain a detailed overview about the current composition of the individuals accommodated in the AZC Almelo. Accordingly, an e-mail was written to the COA. However, the human resource management unit of the COA replied to this e-mail by stating that "it is unfortunately not in the position to support this study at this moment" (2017). The respective e-mail can be found in the annex of the report. In another attempt to receive information on the current composition of the individuals accommodated in the AZC Almelo, a further e-mail was written to the Dutch Council for Refugees (VluchtelingenWerk Nederland). Unfortunately, this e-mail remained unanswered.

Therefore, the best assertion that this report can possibly make regarding the country of origin and the legal status of the individuals who were accommodated in the AZC Almelo at the time that this study was conducted, is limited to the information provided by special investigation officer (BOA) Kootstra. According to her, "the majority of the unaccompanied minor asylum-seekers in the 'Huize Alexandra' is from Afghanistan. The other asylum-seekers in the AZC are mostly from Syria. Some other asylum-seekers are from Iraq, Iran and Sudan. And there are of course also a lot of people from Morocco or Algeria" (2017, p. 12). In the further course of the interview she added that "most of the people in the AZC Almelo are people without an asylum status, or people who are awaiting the final decision of the IND" (2017, p. 14).

A thorough description of the accommodation buildings of the AZC Almelo is also not possible. All that can be stated in this regard is that the asylum-seekers are accommodated in prefabricated houses which consist of two residential units. Each unit is inhabited by six to eight people and has a shared living room, kitchen as well as sanitary facilities. During their stay in the AZC, people are expected to look after themselves for as much as possible (i.e. food is generally not provided to them) (COA, n.d. a).

Additionally worth mentioning is that asylum-seekers who are accommodated in a regular reception facility like the one in Almelo are barely restricted in their freedom of movement. AZCs are open reception facilities and "the inhabitants are free to go wherever they want to. They can for instance go to Amsterdam in order to visit a friend there" (Kootstra, 2017, p. 3). However, "once a week, there is a reporting obligation (meldplicht) for all the asylum-seekers. The reporting obligation implies that all the inhabitants of the AZC have to show up at an obligatory meeting once a

week. During those meetings we can determine whether the asylum-seekers that were assigned to the AZC in Almelo do indeed still reside there. Furthermore, those meetings give us the opportunity to have conversations with the asylum-seekers and to ask them all kinds of questions" (Kootstra, 2017, p. 3). "If an asylum-seeker does not show up for the obligatory meeting, he or she really has to have a good reason to explain the absence. There are even financial penalties for those who disregard the reporting obligation" (Kootstra, 2017, p. 3). "If an asylum-seeker ignores the reporting obligation twice, then we have to put them out of the system. They then have to go back to Ter Apel and have to ask for asylum again. Furthermore, they lose their place of accommodation and all their financial support" (Kootstra, 2017, p. 5). In case of the AZC Almelo the compliance with the reporting obligation is monitored by officers from the AVIM (Brummelhaus, 2016).

A further freedom restricting provision, whose compliance was also monitored by the police, refers to a house arrest that was temporarily placed on certain inhabitants of the AZC. According to Mrs. Kootstra, "it was decided by the mayor that notorious troublemakers had to stay inside the AZC on New Year's Eve 2016/17. This provision mostly concerned people from Morocco and Algeria. The decision of the mayor was felt because it was feared that the known troublemakers could cause trouble on New Year's Eve again. So before New Year's Eve, the concerned people received a letter that clearly stated that they have to stay inside the AZC. So I was very busy with monitoring compliance with that provision" (2017, p. 8).

7.3 Conclusion

Based on the findings presented in this section of the report, it can be concluded that the differences between the two facilities outweigh their elements of similarity.

Regarding their few shared characteristics, it has for instance been shown that both facilities have a longstanding experience with accommodating individuals of either non-German or non-Dutch citizenship. In fact, both facilities have been in existence for at least 25 years.

It has furthermore been demonstrated that rejected asylum-seekers, recognized refugees (or beneficiaries of subsidiary protection), as well as asylum-seekers whose applications are still pending are currently accommodated in both facilities.

Thirdly, it has been established that both the arrival center in Bramsche-Hesepe and the regular reception facility in Almelo are or more or less open reception facilities, which the inhabitants are (temporarily) allowed to leave.

Regarding the differences between the two asylum accommodation facilities, it has for instance been found that they clearly differ in terms of the people that can be accommodated there. While the arrival center in Bramsche-Hesepe can accommodate up to 900 people, the AZC Almelo only offers room for up to 567 people (including 'Huize Alexandra').

While it was possible to demonstrate that of the 900 available accommodation places in Hesepe 666 were actually occupied by asylum-seekers at the time that this study was conducted, a comparable statement for the AZC Almelo could not be made. Thus, the assertion that the two examined reception facilities differ in size is solely based on the number of available accommodation places.

Moreover, it became clear that while the police department of Bramsche decided to maintain an own police office on the premises of the arrival center, there is no branch police office of the basisteam 'B2 Twente Noord' in the AZC Almelo. According to neighborhood police officer Elzinga, all that is available for the police is a room provided by the COA which can temporarily be used to interrogate people (2016).

A further difference between the two facilities is that while the AZC Almelo disposes of a special reception facility for unaccompanied minor asylum-seekers, such a special location does not exist on the premises of the arrival center in Bramsche-Hesepe.

Another difference between the AZC and the arrival center relates to their respective location. As has been stated earlier, the arrival center is located in a small rural suburb (Hesepe) which lies approximately seven kilometers outside the town center of Bramsche. The AZC Almelo, however, lies only two kilometers outside the city center of Almelo. Due to the substantial closer proximity of the AZC to the city center of Almelo, it is conceivable that the asylum-seekers that are accommodated there become far more visible for the citizens of Almelo, than the asylum-seekers accommodated in the arrival center become visible for the citizens of Bramsche.

Another major difference between the two facilities relates to the different roles that they assume in the German asylum procedure and the Dutch asylum procedure, respectively. As has been previously stated, all steps and stages of the German asylum procedure- from the initial registration of the applicants up to the final decision about their application-are expected to take place in the newly established arrival centers. In contrast to that, the asylum-seekers that are accommodated in the AZC Almelo have already gone through many stages of the Dutch asylum procedure before they were allocated to the AZC Almelo.

Additionally, it could be observed that differences exist between the asylum-seekers' length of residence in the respective facilities. While, for instance asylum-seekers who have been granted refugee status or subsidiary protection generally have to reside in the AZC for about fourteen weeks, refugees or beneficiaries of subsidiary protection are often entitled to leave the German arrival centers after just 48 hours.

Rejected asylum-seekers from safe countries of origin are obliged to stay in Hesepe until they (can) leave the country. "All other people are not required to stay and live in Hesepe after the expiry of six months at the latest; they will be assigned to another accommodation facility in accordance with the asylum law" (BAMF, 2016b, p. 13).

In stark contrast to this German provision, rejected asylum-seekers can stay in the AZC Almelo for a maximum of four weeks only. After these four weeks they must leave the facility and the country.

The last difference that could be observed, relates to the reporting obligation and the house arrest for known troublemakers in the AZC Almelo (whose compliance was or still is monitored by the Dutch AVIM). Neither of the two provisions exists or existed for the arrival center in Bramsche-Hesepe.

8. Main differences and similarities in the key problems that the police officers are confronted with in and around the respective asylum accommodation facility

This chapter strives to answer the second sub-question of the thesis, namely: what are the main differences and similarities in terms of the key problems that the police officers are confronted with in and around the asylum accommodation facilities in Bramsche-Hesepe (GER) and Almelo (NL)? To that end, at first a thorough description of the problems that the police officers in Bramsche-Hesepe are required

to do something about is provided. In the subsequent step, a description of the problems faced by the police officers in Almelo is given.

In a concluding paragraph the main observed differences and similarities in terms of the key problems that the police officers in Bramsche-Hesepe and in Almelo are confronted with are emphasized and summarized.

8.1 Problems in and around the arrival center in Bramsche-Hesepe

In the course of the interviews, all three police officers consistently stated that among all the problems that the police are required to do something about, violations of the German Residence Act (Aufenthaltsgesetz, AufenthG) in general, and violations of the legal provisions on entry and residence in particular, rank first (Otte, 2016; Richter, 2016; Oldiges, 2016).

"The German Residence Act serves to control and restrict the influx of foreigners into the Federal Republic of Germany. It enables and organizes immigration with due regard to the capacities for admission and integration and the interests of the Federal Republic of Germany in terms of its economy and labor markets. To this end, it regulates the entry, stay and economic activity of foreigners and the integration of foreigners" (Section 1 Subs. 1 AufenthG).

It is noteworthy that since the German Residence Act does not "apply to foreigners whose legal status is regulated by the Act on the General Freedom of movement for EU citizens" (Section 1 Subs. 2 AufenthG), violations of the provisions of the German Residence Act can as such only be committed by citizens from third (non-EU) countries.

Especially since violations of the German Residence Act's provisions regulating the entry and the residence of foreigners seem to demand much of the criminal and investigative police officers' attention, it is briefly outlined in the following under which circumstances the foreigners' entry into and the residence in the Federal Republic of Germany constitute the punishable acts of illegal entry and illegal residence that entail the initiation of criminal investigations.

According to Section 3 Subs. 1 AufenthG, "foreign nationals are only entitled to enter or reside on German territory, if they are in possession of a valid passport or comparable document, unless an exemption has been granted in accordance with decree-law".

Furthermore, "foreign nationals require a legal residence title for entering or residing in Germany. These residence titles can be granted in the form of a visa, a residence permit or a settlement permit" (Section 4 Subs. 1 AufenthG). "If foreign nationals enter German territory without the obligatory passport or travel documents and without the obligatory residence documents, their entry is illegal" (Section 14 Subs. 1 AufenthG). Moreover, "if foreign nationals are not or no longer in possession of the necessary residence documents,..., they are under a legal obligation to leave the country" (Section 50 Subs. 1 AufenthG). If the respective foreign nationals do not leave German territory immediately, or within the period granted by the authorities (for instance in form of tolerance (Duldung)), their residence becomes illegal (Section 50 Subs. 2 AufenthG).

Pursuant to Section 95 Subs. 1 AufenthG and Section 95 Subs. 2 AufenthG, "unauthorized entry into German territory and an unauthorized residence on German territory, are punishable acts". Consequently, if it is detected by employees of the foreigners authority (Ausländerbehörde) or the BAMF, that asylum-seekers neither possess valid passports, are using false or forged documents and/or do not possess residence titles, they have to report this circumstance to the police officers in Hesepe. Subsequently, the police officers are then obliged to open a police investigation against these individuals. As according to police inspector Otte, "90 percent of all asylum-seekers, who entered German territory and who were subsequently sent to the arrival center in Hesepe, do neither possess valid passports nor the obligatory residence titles" (2016, p. 9), the investigations against individuals suspected of having violated the German Residence Act also "constitute the main task" (Otte, 2016, p. 5) of the criminal and investigative police officers in Hesepe.

At this point, it needs to be mentioned that the Federal Republic of Germany is a signatory state of the Geneva Convention. According to Article 31 Subs. 1 of the 1951 Convention relating to the Status of Refugees, in conjunction with Section 95 Subs. 5 AufenthG, "states shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened..., enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence". "The idea behind this regulation is that

refugees cannot be charged for violating entry regulations, if this violation was the only way to obtain safety from persecution" (Bode, 2016, n. p.).

This circumstance often leads to the situation, that in case that asylum-seekers are indeed granted refugee status or subsidiary protection status in the arrival center in Hesepe (or elsewhere), that public prosecutors often do not initiate legal proceedings against these individuals, if they have only violated the German entry regulations. According to the German newspaper 'Die Zeit', between January 2015 and March 2016 at least 672.561 criminal investigations were initiated against asylum-seekers for having entered the German territory illegally, of which, however, 357.049 were not further prosecuted (2016).

As the German police are bound by principle of legality, they have an obligation to investigate every single crime that they gained knowledge about, even if they can presume at the very outset of their investigations that the public prosecutor will most likely drop the case (Dünkel, 2016).

Besides investigations against individuals on account of illegal entrance and residence, the criminal and investigative police officers in Hesepe also have to investigate cases in which the BAMF suspects asylum-seekers of having assumed false and multiple identities in order to commit social welfare fraud (Otte, 2016; Richter, 2016). As has already been explained earlier throughout this report, several hundred asylum-seekers traceably registered themselves under different names in different reception centers and repeatedly received benefits for asylum-seekers, due to deficiencies in the former asylum procedure.

While, according to the director of the BAMF, Jutta Cordt, "with the establishment of arrival centers in Germany, it can now almost certainly be ruled out, that newly arriving asylum-seekers can assume multiple identities in the asylum procedure" (Der Tagesspiegel, 2017), police officers in Hesepe continually have to investigate cases of identity and welfare fraud that were committed before the loophole in the asylum procedure was closed (Otte, 2016).

Another category of crimes that the police officers in Hesepe regularly have to investigate relates to property crimes (Eigentumsdelikte). These include, principally, incidents where asylum-seekers are suspected of having committed (petty) theft or shoplifting in stores outside the arrival center (Otte, 2016; Richter, 2016). To a lesser

extent, the police officers also have to investigate incidents where local citizens of Bramsche or Hesepe filed a complaint against asylum-seekers for having stolen their private property (for instance bicycle theft or incidents of picket pocketing).

According to the two police officers, Otte and Richter, acts of property crimes also occur between the inhabitants of the asylum accommodation facility. As police inspector Otte puts it, "occasionally, asylum-seekers come to the branch police office, in order to accuse other asylum-seekers of having stolen, or even robbed their property" (2016, p. 14) (for instance mobile phones).

Additional problems that the police officers in Bramsche-Hesepe are confronted with, relate to conflicts and disputes that sometimes emerge between different ethnic groups inside the asylum accommodation facility. Whether these conflicts and disputes arise "always depends on the individuals who are present in the asylum accommodation at a specific date- which part of the world they are from, and what their intentions are for being in Germany" (Richter, 2016, p. 5). Asylum-seekers from different parts of the world have "different cultural backgrounds, different mentalities, different languages and also different views as to what one is allowed to do or not" (Richter, 2016, p. 5). According to police senior inspector Richter (2016), "it does occasionally happen that individuals with no love lost between them are assigned to the same residential container.¹⁰ In such a case, the slightest word can be taken as an occasion to provoke a quarrel, and then the brawl starts" (p. 5). "We even had some mass brawls here" (Richter, 2016, p. 8).

In the aftermath of physical altercations, alleged perpetrators are typically being investigated by the police over criminal charges of a breach of the peace (Landfriedensbruch), bodily harm and sometimes even grievous bodily harm (Otte, 2016; Richter, 2016).

Alongside the existence of different cultural backgrounds, different mentalities and different languages that can potentially cause the emergence of disputes and physical altercations between the different asylum-seekers accommodated in Hesepe, the police officers perceive the consumption of alcohol, drugs and medicines as further contributing factors for the occurrence of disputes and physical altercations. Pertaining to the emergence of disputes and physical altercations, police

¹⁰In this context, police inspector Otte explains that "we made the experience that especially people from the Balkans do not get along with Black Africans" (2016, p. 9).

senior inspector Richter (2016) for instance stated "often, there is alcohol involved. That is really a big problem" (p. 5). He further elucidated "there are certain ethnic groups- a lot from North Africa-with a strong affinity for alcohol" (2016, p. 5). "Under the influence of much alcohol, these individuals do sometimes run riot. In some cases, five of these individuals are enough to tear this place upside down, metaphorically speaking" (2016, p. 11).

The two police officers, Otte and Richter (2016), moreover announced that investigations of sexual violence, including sexual harassment, sexual assault and rape, are generally also among their portfolio of tasks. However, incidents of sexual violence between inhabitants of the asylum accommodation facility and/or incidents of sexual violence committed by asylum-seekers against native citizens outside the facility did in fact occur very rarely in the recent past. Nevertheless, at the time when the interviews were conducted with the police officers in Bramsche-Hesepe, one case where a male asylum-seeker has allegedly sexually harassed a young woman outside the asylum accommodation was still unsolved. Figure 17 depicts the corresponding wanted poster, on which the police address the general public in a bid to provide them with valuable information about the identity of the alleged perpetrator.

The question as to whether the police officers in Hesepe ever had to, or currently have to deal with asylum-seekers who either showed an indication for being radicalized by extremist philosophies or even showed slightest tendencies to commit subversive acts, was very firmly answered with: "no, we have never encountered anyone with these mindsets or tendencies here" (Richter, 2016, p. 6). In this context, police senior councilor Oldiges additionally explained, that "the police officers deployed in the asylum accommodation facility of course deal very sensitively with this topic and that the police officers also try to raise the sensibility for this topic among the employees of the BAMF" (2016, p. 4). In case that "among the inhabitants of the asylum accommodation facility any of the abovementioned mindsets or tendencies had been recognized, the further investigation would, however, be immediately delegated to specialized police officers of the state protection office (Polizeilicher Staatsschutz) of the police directorate Osnabrück" (Oldiges, 2016, p. 4).

Übergriff auf junge Frau in Hesepe

Nach einem Übergriff auf eine junge Frau in Hesepe sucht die Polizei den Täter und bittet Zeugen, sich zu melden.

Die Tat ereignete sich am Donnerstag den 10.11.16, gegen 20.40 Uhr, in Hesepe an der Hauptstraße in Höhe der Unterführung zur Althausener Straße. Das Opfer wurde von einem unbekannten Täter bedrängt, konnte sich aber wehren. Zwei Zeugen kamen der jungen Frau zu Hilfe. Der Unbekannte flüchtete.

Die Frau war zuvor auf dem Weg vom Bahnhof Hesepe in Richtung Aufnahmeeinrichtung, als sie in Höhe des Kreisverkehrs angesprochen und nach dem Weg gefragt wurde. Die Frau ging dann weiter Richtung Unterführung und wurde dort von dem Mann bedrängt.

Es folgt die Beschreibung des Täters und eine Phantomskeizze der Person:

- Geschlecht: männlich,
- Alter: 23 - 29 Jahre,
- Größe: etwas größer als 176 cm
- Statur: schlank,
- Erscheinungsbild: eher gepflegt, vermutlich afrikanische Herkunft,
- Haare: afrikanisch, schwarz, kurz, "große" Stirn
- Sprache: gebrochen arabisch und englisch,
- Bekleidung: dunkelrote, hüftlange, Jacke mit Bändchen und Kapuze, schwarze Hose,

Bei Hinweisen melden Sie sich bitte bei der Polizei unter einer der folgenden Rufnummern:

0541/327-3103 oder 05461/915300 oder 0541/327-2116

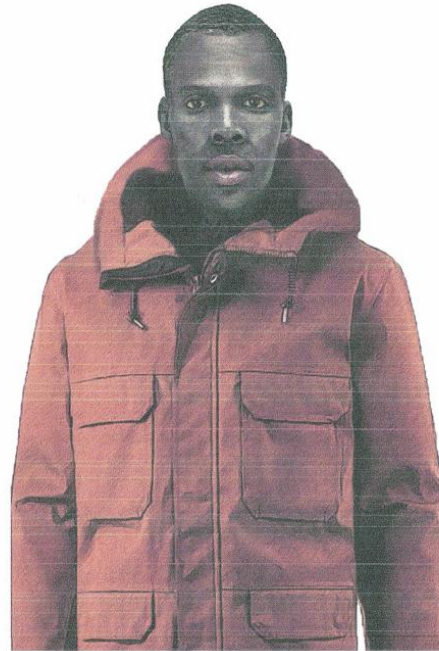


Figure 17: Wanted poster police department of Bramsche (2016)

On the question as to what extent the police in Hesepe had to or still have to deal with cases of violence committed against inhabitants of the arrival center, police inspector Otte (2016) stated that "the number of cases of violent acts committed against asylum-seekers by non-asylum-seekers (author's note: this presumably refers to members of the indigenous population) is vanishingly small- it is even so small that it cannot be expressed as a percentage" (p. 3). According to him, "attacks and arsons on the arrival center, or politically motivated hate-crimes, like they occurred elsewhere in Germany, have fortunately also not happened in Hesepe" (p. 17). The police inspector generally "has a great deal of respect for all the understanding and the good behavior of the inhabitants of Hesepe" (2016, p. 17).

When the insights and elucidations of all the interviewed police officers are submitted to a thorough review, it is noticeable that, apart from cases of shoplifting (which can only be committed outside the arrival center), many, if not most of the criminal offenses that the police officers in Hesepe have to investigate, relate to offenses that do not directly affect the general public in the surrounding area of the arrival center. For instance, cases of welfare fraud or violations of the German Residence Act are detected and investigated inside the arrival center and initially remain unnoticed by the public. The same seems to apply to the previously mentioned physical altercations among the inhabitants of the arrival center. They almost exclusively

seem to occur on the premises of the arrival center and thus also remain initially unnoticed by the general public.

The evaluation of the statements of the interviewed police officers additionally allows concluding that as far as offenses against the German Residence Act (i.e. illegal entrance and illegal residence) are concerned, both, rejected asylum-seekers and asylum-seekers who qualify for refugee status or subsidiary protection status commit these offenses to an almost equal extent. In fact, only a very few members of both groups possessed the necessary passports (or comparable documents) or the obligatory residence titles upon their arrival on German territory.

However, when it comes to all of the other previously mentioned problems and criminal offenses, there is a certain tendency recognizable that, in Hesepe, these offenses are more frequently committed by certain individuals from the group of rejected asylum-seekers than by individuals belonging to the group of recognized refugees or beneficiaries of subsidiary protection.

This verdict is based on the following three main arguments: firstly, asylum-seekers who are granted refugee status or subsidiary protection status do only stay in Hesepe for a very limited amount of time (To recall: their intended residence in the accommodation facility roughly amounts to 48 hours only). While, it can by no means be excluded that recognized asylum-seekers or refugees potentially commit any of the abovementioned crimes during their residence in Hesepe, their time slot to commit criminal offenses in Bramsche-Hesepe is declaredly limited. As senior police inspector Richter puts it, "the vast majority of people assigned to Cluster A arrives here and leaves again. Instead of dealing with the police, these individuals merely deal with the immigration authority or employees of the BAMF" (2016, p. 11).

Secondly, according to police senior councilor Oldiges "it could be observed that rejected asylum-seekers are often very frustrated and emotionally charged once they received their negative asylum decision, since they then ultimately have to realize that their arduous journey was a vain endeavor" (2016, p. 4). "In individual cases, the frustration then leads to an increased consumption of alcohol and drugs, which in turn can lead to the commission of violent acts, property offenses or public order offenses" (Oldiges, 2016, p. 4).

Thirdly, rejected asylum-seekers are usually aware of the fact that they will sooner or later be expelled from the country. According to police inspector Otte, "there are

certain individuals with no prospects of remaining in Germany who act in line with the motto: during the time that we can remain in Germany, we are taking everything that we can possibly get. Whether something belongs to you or me, is no longer a crucial factor then" (2016, p. 11).

8.2 Problems in and around the regular reception facility (AZC) in Almelo

The following statement issued by special investigation officer (BOA) Kootstra constitutes a purposeful starting point for the depiction of the key problems that the police are confronted with in and around the AZC Almelo: "at the end of the day, you have to imagine the AZC as some kind of village. Everything that can possibly happen within a village can also happen in the AZC. That list goes from shoplifting on to domestic violence, violence in general and even abuse" (2017, p. 8).

Taking up the aspect of violence, Mrs. Kootstra added that "you should always keep in mind that an AZC is a densely populated location. Many people live together in a relatively small area. It is only natural that interpersonal problems can arise in such a setting" (2017, p. 8). According to her, "it is conceivable that asylum-seekers with a different religion or from different countries of origin simply do not like each other and they get into a dispute because of that. It is furthermore conceivable that asylum-seekers from the same country of origin, who did not like each other back home already, now have to live side by side inside the same AZC. This can cause disputes as well" (2017, p. 8). Her colleague, police sergeant (brigadier) Brummelhaus, confirmed the frequent occurrence of disputes among the inhabitants of the AZC that sometimes also lead to physical altercations. According to him, "with the physical altercations come other things, such as threats, abuse and sometimes theft" (2016, p. 6). Besides the different languages as well as cultural or religious issues, police sergeant Brummelhaus also considers "mental health issues ("you really hear a lot about that" (2016, p. 6)) and the consumption of drugs and alcohol as possible causes for physical altercations among the asylum-seekers" (2016, p. 6).

Apart from the disputes and physical altercations among the asylum-seekers, "it also happened, and still happens, that an employee of the COA is assaulted by an asylum-seeker" (Brummelhaus, 2016, p. 8). In this connection, his colleague police sergeant Elzinga explained "sometimes the inhabitants of the AZC do not tolerate that a female employee of the COA talks to them in a certain way. This is something that we have to deal with frequently. In the Dutch society, we are used to the idea

that men and women are equal, but in other cultures a different perspective may prevail on that issue. So, when there is a dispute between an asylum-seeker and an employee of the COA that could possibly escalate, then this becomes part of our duty" (2016, p. 6). Besides the abovementioned cultural issues, that might provoke disputes between asylum-seekers and employees of the COA, Elzinga also sees the consumption of alcohol and drugs as potential causes for these disputes. According to him, "the consumption of alcohol or drugs, or the combination thereof, sometimes makes people lose all reason or they are no longer aware of their actions, which in turn can lead to physical altercations or other types of threatening behavior towards the (female) employees of the COA" (2016, pp. 6-7).

With regard to the question of whether the police ever had to, or currently have to deal with asylum-seekers who either showed an indication for being radicalized by extremist philosophies or even showed slightest tendencies to commit subversive acts, BOA Kootstra stated that "there are indeed people like that. I did not figure it out by myself, but employees from the COA called me and informed me about suspicious behaviors of certain asylum-seekers inside the AZC. They called me, because they wanted me to do something about it. So, yes we had to and still have to deal with this issue. Not frequently, but occasionally" (2017, p. 8).

In addition to these problems, that mostly occur inside the regular reception facility, the police also have to deal with criminal acts and public order offenses that happen outside the facility. Criminal acts that are committed outside the AZC for instance include shoplifting, "which really occurs frequently" (Brummelhaus, 2016, p. 6). Public order offenses in particular include nuisance, noise nuisance as well as the consumption of alcohol and/or drugs on public roads or in other public places (Elzinga, 2016). "Unfortunately, many newly arriving asylum-seekers are not aware of the rule that the consumption of alcohol on public roads or in other public places is forbidden. While this does not constitute a criminal act, it falls under the group of public order offenses, and we as the police have to do something about it" (Brummelhaus, 2016, p. 6).

In the course of all interviews it became apparent that especially unaccompanied minor asylum-seekers, who are accommodated in the 'Huize Alexandra', are responsible for most of the previously mentioned criminal acts and public order

offenses. As special investigation officer Kootstra (2017) puts it, "we are very busy with the inhabitants of the 'Huize Alexandra' at the moment. They really cause a lot of trouble. On an almost daily basis we receive reports that they did this or that they did that. In addition to the incidents of shoplifting and physical altercations we sometimes also get a hint that an unaccompanied minor possess a lot of drugs or is dealing with drugs. No hard drugs though. Rather something like marihuana" (p. 8).

In this context, police sergeant Elzinga amplified that "here in AZC the behavior of the unaccompanied minors is usually more or less acceptable. They cause way more problems when they go outside" (2016, p. 6).

In this respect, special investigation officer Kootstra (2016) appended that "their frequent engagement in nuisance behavior and criminal activities outside the AZC are increasingly perceived as objectionable by the citizens of Almelo. Therefore, there is a lot of political pressure at the moment" (p. 6). The two police sergeants Elzinga and Brummelhaus both confirmed that the serious misbehavior of the unaccompanied minors in the public sphere has become a politically sensitive subject. Due to that, they consistently stated that a lot of meetings between Jos Westerveld (team chief of the basisteam 'B2 Twente Noord'), the mayor of the municipality of Almelo (Arjen Gerritsen), the public prosecutor and directors of the COA were convened in recent times, during which the participants discussed possible solutions to the problem (Brummelhaus, 2016; Elzinga, 2016).

Alongside the unaccompanied minor asylum-seekers, Mrs. Kootstra noted that "also asylum-seekers from Algeria and Morocco caused and still cause quite some trouble here and there" (2017, p. 10). She warned the author of this report "not to misunderstand" her, but "based on police records" it can be established that "individuals from those two countries commit criminal offenses more frequently than asylum-seekers from other countries of origin" (2017, p. 10). In order to justify this statement, she pointed out that for instance "the house arrest for the New Year's Eve 2016/17 was almost exclusively placed on notorious troublemakers from Algeria and Morocco" (2017, p. 10).

With regard to the question as to whether the AVIM has to investigate cases of identity and welfare fraud, special investigation officer Kootstra responded that "the government of the Netherlands always placed great importance on ensuring that all

newly arriving asylum-seekers are properly registered at any time" (2017, p. 7). Even when the asylum system of the Netherlands came under severe stress at the peak of the refugee-crisis, "all applicants were compulsively photographed and fingerprinted" (Kootstra, 2017, p. 7). Therefore, she is convinced that "it is basically impossible for asylum-seekers to assume multiple identities and to commit welfare fraud in the Netherlands" (2017, p. 7).

On the question as to what extent the police have to or had to deal with violence against asylum-seekers or politically motivated attacks on the regular reception facility committed by members of the indigenous population, special investigation officer Kootstra noted that "hitherto, incidents of this type could not be recorded in Almelo" (2017, p. 15). She further outlined that "luckily enough, violent riots and protests against regular reception facilities like they occurred in the Dutch municipalities of Geldermalsen¹¹ and Enschede¹² did also not happen in Almelo" (2017, p. 15). According to her, "the massive protests in Geldermalsen and Enschede happened when plans were announced to open new asylum accommodation facilities in the concerned municipalities - so before asylum-seekers even started to live there. Once the people realized that the plans to open new asylum accommodation facilities do not materialize, they stopped their protests and the situation calmed down again " (2017, p. 15).

8.3 Conclusion

The above analysis shows that the police in Almelo and Bramsche-Hesepe are confronted with a number of common key problems. In particular, this includes relatively frequently occurring conflicts and disputes among the asylum-seekers on the premises of the respective asylum accommodation facility which in some cases also lead to physical altercations. The causes for the emergence of the disputes and physical altercations also seem to resemble each other. Police officers from both

¹¹ For more information (in Dutch language) on the riots in Geldermalsen please see:

<https://www.gelderlander.nl/geldermalsen/azc-rellen-geldermalsen-hebben-diepe-wonden-geslagen-bij-politie~a32306c5/>

¹² For more information (in Dutch language) on the protest in Enschede please see:

<https://www.nrc.nl/nieuws/2015/11/25/terrein-naast-azc-enschede-bezaaid-met-varkenskoppen-a1411260>

jurisdictions agreed that asylum accommodation facilities are densely populated locations where people with different cultures, different languages and different mentalities have to live side by side without any real form of privacy. All the interviewees concurred that in such a setting interpersonal problems can arise, which sometimes also culminate in violence. There is also broad consensus among all interviewees that the consumption of alcohol and/or drugs fuels and perpetuates disputes and acts of violence.

Incidents of threats and abuse among the inhabitants have also been reported by police officers from both jurisdictions.

Property offenses constitute a further common key problem. Police officers from both jurisdictions mentioned the occurrence of theft among the inhabitants of the respective asylum accommodation facility. Furthermore, all interviewed police officers also mentioned that they regularly have to investigate incidents of shoplifting which are committed by asylum-seekers outside the facilities.

Additionally common to police officers in Bramsche-Hesepe and Almelo is that (politically motivated) attacks on the asylum accommodation facilities and their inhabitants from the respective indigenous population do, if at all, only play a very marginal role and therewith do not require particular attention from the police.

Besides the existence of common key problems, the above comparison also revealed that the police officers in Bramsche-Hesepe and Almelo are confronted with distinct problems within their respective jurisdictions.

It has for instance been found that the criminal and investigative police officers in Bramsche have to launch investigations against asylum-seekers on account of their illegal entry into and residence in the Federal Republic of Germany. While these investigations constitute the main task of the police officers in Bramsche, they do not seem to play an important role for the police officers in Almelo. A potential explanation for this circumstance lies in the fact that both illegal entry and residence are considered as criminal offenses in Germany. In the Netherlands, however, the illegal entry as such does not constitute a criminal offense- only third-country nationals who reside illegally in the Netherlands are guilty of a criminal offense (Government of the Netherlands, 2012a). As has been stated earlier, rejected asylum-seekers usually have four weeks to leave the Netherlands voluntarily. During

this period, they are accommodated in a regular reception facility, such as the AZC in Almelo. If rejected asylum-seekers fail to leave the Netherlands within this deadline, their residence in the Netherlands becomes illegal (Government of the Netherlands, 2012a). As rejected asylum-seekers who failed to voluntarily leave the Netherlands within four weeks are commonly relocated from the regular reception facility (in Almelo) to a so-called freedom-restricting center, the further handling of the then illegal residents does no longer fall into the area of responsibility of the police officers in Almelo.

Additionally, while it was found that the criminal and investigative police officers in Bramsche continually have to investigate cases of identity and welfare fraud, this is not the case for their Dutch colleagues. In stark contrast to the situation in Germany, where the lack of systematically fingerprinting all arriving asylum-seekers traceably enabled several hundred asylum-seekers to assume multiple identities and commit welfare fraud, the Dutch government always placed great importance on ensuring that all newly arriving asylum-seekers are compulsively photographed and fingerprinted. Therefore, the possibility for asylum-seekers to commit welfare fraud in the Netherlands did basically not exist.

A problem that only the police officers in Almelo seem to be confronted with relates to incidents of threatening behavior and physical assaults of asylum-seekers against employees of the reception facility. Similar incidents remained unreported during all interviews with the German police officers.

Furthermore, while the German police officers stated that they hitherto never had to deal with asylum-seekers who either showed an indication for being radicalized by extremist philosophies or even showed slightest tendencies to commit subversive acts, special investigation officer Kootstra noted that she occasionally had and still has to deal with inhabitants of the AZC that employees of the COA suspected of being radicalized or potentially dangerous.

With regard to the question as to whether a specific group among all the inhabitants of the respective asylum accommodation facility causes more problems requiring police intervention than other groups, no definitive answer can be given. At any time, all interviewees seemed to place a very high importance on avoiding undue

generalizations about and unsubstantiated accusations against specific groups of asylum-seekers. Nevertheless, based on the statements of all police officers in Almelo, the impression is created that especially individuals from the collective group of unaccompanied minor asylum-seekers are responsible for the majority of public order offenses and cases of shoplifting in the surroundings of the AZC Almelo. Furthermore, asylum-seekers with generally poor prospects of remaining in the Netherlands from Morocco and Algeria also seem to require more police attention than asylum-seekers from other countries of origin.

Based on the statements of the German police officers, the author of this thesis deduced that there is a certain tendency recognizable that, in Hesepe, asylum-seekers with a generally poor prospect of remaining in Germany seem more likely to commit property crimes and violent crimes than recognized asylum-seekers and beneficiaries of subsidiary protection. This deduction is partly supported by a report of the Federal Office of Criminal Investigation (2017), which came to the conclusion that throughout Germany asylum-seekers from the Maghreb countries, the Balkan states as well as Georgia (asylum-seekers from these regions are classified as generally having poor prospects of remaining in Germany) were clearly overrepresented in the area of property crimes in the year 2016.

As a concluding remark for this chapter, it seems appropriate to state that criminal acts and minor offenses that are committed outside the asylum accommodation facility constitute a bigger problem for the police officers in Almelo than for their German colleagues in Hesepe. On the one hand, this circumstance seems to relate to the presence (and concentration) of unaccompanied minor asylum-seekers in Almelo. On the other hand, this circumstance might also be due to the fact that the AZC and the 'Huize Alexandra' are situated in very close vicinity to the city center of Almelo. To recall, while the arrival center in Hesepe is located in a rural suburb which lies approximately seven kilometers outside the town center of Bramsche, the AZC and the 'Huize Alexandra' are situated in a more urban setting and are only about two kilometers away from the city center of Almelo. Because of the closer vicinity of the AZC and the 'Huize Alexandra' to the city center, especially the unaccompanied minors seem to have greater opportunities to for instance commit shoplifting or to cause public nuisance than the inhabitants of the arrival center in Hesepe.

9. Differences and similarities between the modes of policing the arrival center in Bramsche-Hesepe (GER) and the regular reception facility in Almelo (NL)

This chapter is concerned with answering the third sub-question of the study, which is as follows: do the police forces that are responsible for policing the asylum accommodation facilities in Bramsche-Hesepe (GER) and Almelo (NL) differ in their respective modes of policing? In order to answer this sub-question, the author of this report initially provides a detailed description of the way in which the arrival center in Bramsche-Hesepe is policed. This is followed by a thorough description of the way in which the policing of the regular reception facility in Almelo is carried out.

In a concluding paragraph, the observed differences between the modes of policing the arrival center in Bramsche-Hesepe and the regular reception facility are elaborated and summarized.

9.1 Policing of the arrival center in Bramsche-Hesepe

As has been previously stated, the police department of Bramsche maintains an own branch police office on the premises of the arrival center. The branch police office is manned with three police officers of the criminal and investigative service. Their working time is basically regulated by a flexitime system. The police officers are predominately present during early and late shifts, and depending on the workload, they can to some extent determine their daily working times themselves (Oldiges, 2016). "The group of police officers that is deployed for the policing of the arrival center officially runs under the name of 'ZErmG' (Zentrale Ermittlungsgruppe, Central Investigation Unit)" (Oldiges, 2016, p. 1). All three police officers are uniformed and carry their service weapons (Richter, 2016).

Despite the fact, that the three criminal and investigative police officers perform their police duties on the premises of the arrival center, they are still fully integrated into the organizational structure of the police department of Bramsche (as depicted in Figure 10). This means that for their fulfillment of the daily police tasks in and around the arrival center, the hierarchical command and control structures continue to apply to the same extent as if the three criminal and investigative police officers were housed in the actual police station of Bramsche (Oldiges, 2016).

All three police officers in Hesepe are directly subordinated to the head of the criminal and investigative service, detective chief superintendant Hömme. "It is his

task to direct, supervise and review the work of all three police officers. The coordination of tasks between detective chief superintendent Hömme and the police officers deployed in the arrival center is either done with the help of telephone conversations or during a regular meeting that takes place once a week, the so-called 'jour fixe' " (Oldiges, 2016, p. 2).

The main purpose of the three criminal and investigative police officers is to investigate and prosecute all criminal acts committed by and against asylum-seekers within the entire jurisdiction of the police department of Bramsche (Otte, 2016; Oldiges, 2016). Thus, they are not only responsible for crimes that are committed on the premises of the arrival center, but also for all incidents outside the arrival center where at least one asylum-seeker was the victim or the perpetrator of a crime. According to police inspector Otte, 90 percent of their work results from the fact that a complaint (Anzeige) was filed (2016). Complaints are for instance filed by employees of the BAMF, in case that they suspect asylum-seekers of having entered the country illegally or having committed welfare fraud (2016).

Also, in case that citizens or storeowners suspect an asylum-seeker of having committed theft and filed a complaint in the police station in Bramsche, the written reports are handed over to the police officers in Hesepe (Richter, 2016). The same applies to complaints that are filed by fellow police officers of the operational and patrol police, who for instance had to deal with a certain incident on the premises of the arrival center outside the office hours of the branch police office in Hesepe. Now and then, it also happens that inhabitants of the asylum accommodation facility show up at the branch police office (usually in company of a social worker) in order to accuse another inhabitant of a certain criminal offense. "In such a case, the police officers put their normal work aside and fill out the complaint form together with the putative victim" (Richter, 2016, p. 4).

After a certain crime has come to the attention of the police officers, the official investigation will be opened. According to police inspector Otte, "in many cases the alleged perpetrator is already named in the complaint form" (2016, p. 4). The police officers then have to ascertain whether the alleged perpetrator does still reside on the premises of the arrival center. Depending on the nature and the severity of the criminal offense there is a variety of follow-up measures that the criminal and investigative police officers can take (Richter, 2016). "In cases of simple theft, such as shoplifting, usually a hearing form (Anhörbogen) in the respective language of the

alleged perpetrator is issued. He or she can then make a written statement about the allegation. The hearing form is then send to the public prosecutor who determines if additional information is necessary in order to decide whether to bring charges against the suspect" (Otte, 2016, p. 4). "In the interest of an efficient investigation of other, more serious categories of crime, such as bodily harm, it is often necessary to summon the victim, the alleged perpetrator and possibly also witnesses" (Otte, 2016, p. 4). "For the subsequent hearing, the police of course have to ascertain which languages are spoken by the alleged perpetrator, victim and witnesses. Accordingly, the police officers then have to organize suitable interpreters" (Otte, 2016, p. 4). As police senior councilor Oldiges explains in this context, "unfortunately, the necessary interpreters are not always immediately available. This circumstance can lead to unpleasant time lags in the investigation process" (2016, p. 3).

As police senior inspector Richter puts it (2016), "the fact that interpreters are not always immediately available does certainly impede the investigations. But interpreters are absolutely indispensable for us, as effective communication is essential to effective law enforcement. At the end of the day, it is our declared aim to punish the perpetrator of a certain crime. For that purpose we have to carry out investigations up to the point that we believe that there is sufficient evidence for a decision to be made by the public prosecutor. We need the help of the interpreters for that" (p. 6)

Once the investigative and criminal police officers have deemed the investigation complete, they transfer the file to the public prosecutor who then decides whether or not to start criminal proceedings (Otte, 2016; Richter, 2016).

What clearly distinguishes the investigative police work in Hesepe from the investigative police work in other police departments in the Federal State of Lower Saxony is the fact that the police officers in Hesepe are responsible for the investigation of all types of criminal offenses where at least one asylum-seeker was the victim or the perpetrator of a crime. Usually, the criminal investigative police within the Federal State of Lower Saxony are divided into, at least, five major investigative areas, namely criminal offenses against physical integrity, criminal offenses against property and drug-related offenses, crimes of fraud, youth affairs and traffic (as can be seen in Figure 10). This for instance means that criminal offenses against property would exclusively be dealt with by the investigation unit that is specialized on property related crimes. In Hesepe, however, this is not the

case. As police inspector Otte explains (2016), "it rarely happens that we transfer the investigation of a case to another investigation officer or team". Most of the investigations are done by us. This is rather unusual. No matter whether cases of bodily harm, sexual harassment, property crimes or violations of the Residence Act are concerned- the respective investigation is mostly done by us" (p. 4). In this context, police senior councilor Oldiges (2016) adds that "only the investigations of capital offenses (Kapitalverbrechen) are transferred to the central criminal office (Zentraler Kriminaldienst) of the police inspection of Osnabrück (p. 5). Due to the variety of criminal offenses that they have to investigate, the pure investigative work takes up most of the time of the three police officers in Hesepe (Otte, 2016).

In addition to the investigative work, it also sometimes happens that the police officers are notified about disputes or physical altercations between inhabitants of the arrival center. As police senior inspector Richter (2016) explains, "in case of small incidents-like a physical altercation between two asylum-seekers during our office hours-we will of course see to it and try to get them apart. And we will, of course, calm the situation" (p. 3). However, he continues stressing that "there are also certain operational situations that are classified as major emergency situations requiring immediate police attendance. We are clearly not able to cope with such situations without any assistance and would therefore immediately call our colleagues from the operational and patrol police" (2016, p. 3). Outside the office hours, every incident on the premises of the arrival center is exclusively dealt with by the police officers of the operational and patrol service (Oldiges, 2016, Otte, 2016).

Besides these two functions, which are clearly reactive in nature, the investigative police officers in Hesepe are, time permitting, also ordered to perform proactive tasks, such as patrolling the premises of the arrival center and giving warnings to potential troublemakers (Gefährderansprache) (Oldiges, 2016). Police senior inspector Richter (2016) is convinced that "if the police are visible, this has a soothing effect on the asylum-seekers" (p. 2). "People still have a bit of respect for the uniform" (Richter, 2016, p. 4). But, "apart from patrolling the premises wearing the uniform, the possibilities to prevent crime are rather limited. We do not hand out brochures or the like, for instance. This would not make much sense, anyway, as there is continual coming and going of most of the people here" (Richter, 2016, p. 6).

"Additional preventive tasks, such as showing extra police presence around the arrival center or determining the mood situation in the population can only be performed to a very limited extent by the police officers deployed in the arrival center. Therefore, these tasks are primarily performed by police officers from the operational and patrol service" (Oldiges, 2016, p. 1).

In answer to the question as to what extent the criminal and investigative police officers in Hesepe have discretionary powers, police senior inspector Richter indicated that "in case that a criminal offense has been committed, or if there is a risk that someone is getting injured or something is getting damaged, we do not have any discretion-in these cases, we have to react immediately" (2016, p. 3). He amplified that "this is different with minor issues. For instance, if an inhabitant of the reception facility commits a minor traffic offense, like riding a bicycle without lights, then we may simply issue a verbal warning. After that, the issue is over and done with" (2016, p. 3). His colleague, police inspector Otte, however, added for consideration that "to be honest, we do not really have the time and resources to deal with minor offenses. Simply put, this is also not our task. If we patrol the premises of the reception facility and coincidentally notice a minor offense, then we of course do not turn a blind eye to that. Then we will certainly issue a verbal warning. However, it is not our task to specifically target minor offenses that are committed on the premises of the arrival center" (2016, p. 4).

9.2 Policing of the regular reception facility (AZC) Almelo

There is no police office maintained on the premises of the AZC Almelo (Elzinga, 2016; Kootstra, 2017). More importantly, police officers that are exclusively deployed for the policing of the AZC are also not existent. Instead, the policing of the AZC Almelo is predominantly carried out by two neighborhood police officers (wijkagenten) of the basisteam 'B2 Twente Noord' and three fellow colleagues from the AVIM (Afdeling Vreemdelingenpolitie Identificatie en Migratiecriminaliteit), who in both cases only dedicate part of their work to the policing of the AZC (Brummelhaus, 2016; Kootstra, 2017).

By his own account, police sergeant Elzinga is the competent neighborhood police officer for the district in which the AZC Almelo is located (Noorderkwartier) (2016).

However, besides executing this main function, the police sergeant also indicates to be part of the police unit that is responsible for overseeing matches of the local football club 'Heracles Almelo', "which additionally forms an integral part of his work" (2016, p. 1).

In case that police sergeant Elzinga has to accompany football fans to away matches, is on sick leave or impeded from policing the district to which he is assigned in any other way, the ward team (wijkteam) leader, police sergeant Brummelhaus, "acts as a kind of substitute or back-up for him" (Elzinga, 2016, p. 4).

Under this arrangement "the consistent delivery of community policing services within the district of Noorderkwartier is guaranteed" (Brummelhaus, 2016, p. 3).

Further on, police sergeant Brummelhaus explains that "in the normal course of duties, my role as a superior (leidinggevende) is to stand back and to try to get a clear picture of what is going on in the area that we are covering. It is my general task to maintain a 'helicopter view' and to conduct process monitoring, while my colleague police sergeant Elzinga is more concerned with implementation issues. Essentially, we try to do a lot of things together" (2016, p. 1).

Police sergeant Brummelhaus continues stressing that "our general mandate as neighborhood police officers involves the components of observing, giving advice, offering aid if necessary, and eventually also intervening according to the law. In the Netherlands this is called 'maintaining' (handhaven)" (p. 1). He adds that "for the most part, our work consists of observing and giving advice. What this means in specific is, that we are keeping an eye on the recent trends and developments within our district. What is happening there? Which way are we going? Those are the crucial questions that we are dealing with in order to be able to keep up the security and the livability within our area of responsibility" (2016, p. 5).

In order to be able to capture an overview of the current situation within their district, police sergeant Elzinga states that he is for instance " frequently attending all kinds of meetings, such as meetings of neighborhood associations (buurtverenigingen) or meetings of housing associations (woningbouwverenigingen)" (2016, p. 8). Furthermore, he "also tries to engage into conversations with people on the streets as much as possible". According to him, "nowadays, this is however only possible to a limited extent" (2016, p. 6). The police sergeant explains in this context that "in the past, the neighborhood police officer used to spend most of his time in the neighborhood. He would walk or bike around in order to make himself visible and to

communicate with as many people as possible. Sadly, this is not the case anymore. The time that you have for these conversations is minimal, because nowadays there are a lot of other things that require your time, including administrative tasks. For the neighborhood police officer this means, that he admittedly spends most of his time on issues related to the neighborhood, but he does not spend a lot of time in the neighborhood anymore" (2016, pp. 7-8).

As far as the two neighborhood police officers' dedication towards the policing of the regular reception facility is concerned, police sergeant Brummelhaus (2016) explains that "the policing of the AZC just forms a really small part of the job. Expressed as a percentage, I would estimate that I only invest about twenty percent of my total work into the policing of the AZC" (p. 7). He exemplifies that "as a neighborhood police officer in the Netherlands you are assigned to a certain district. And after all, an AZC can belong to a certain district in the same way as a hospital or a school does" (Brummelhaus, 2016, p. 2). The police sergeant complements that "if an AZC is located within the geographical area that is assigned to a certain neighborhood police officer, then this very officer is also responsible for executing police tasks that are related to the AZC, but it does not constitute the main task" (Brummelhaus, 2016, p. 7).

His colleague, police sergeant Elzinga reaches a similar assessment. He also estimates that only about ten to twenty percent of his current workload falls to issues related to the AZC (2016). According to him, "that used to be different in the year 2015- back then, I went to the AZC on an almost daily basis" (2016, p. 8).

As, however, "the situation in and around the AZC is currently somewhat calmer" (Elzinga, 2016, p. 8), the neighborhood police officer indicates that his "commitment towards the AZC is slightly reduced" (2016, p. 8) and that, accordingly, he goes there "less frequently for the time being" (2016, p. 8).

Police sergeant Elzinga describes that when he is present on the premises of the regular reception facility, it is part of his duty "to develop an overview of the current situation in and around the facility" (2016, p. 6). For this purpose, he "engages in conversations with the doormen (portiers), employees of the COA, his colleagues from the AVIM and the inhabitants of the AZC" (2016, p. 6). Based on the information and insights that these interlocutors provide the police officer with, it is for instance possible for him to deduce "that certain individuals or groups might require some extra police attention" (2016, p. 6). Such an estimation is then "passed on to the team

chief of the basisteam 'B2 Twente Noord', Jos Westerveld and the entire ward team (wijkteam)" (Elzinga, 2016, p. 6).

By way of example, police sergeant Elzinga (2016) mentions that if he informs "the team chief about the fact that unaccompanied minor asylum-seekers seem to gather a lot at a playground or a school at night; that they consume alcohol and drugs there and cause noise nuisance, then the team chief can decide to put extra police surveillance on these places" (p. 6). "The same applies to certain stores that are frequently affected by shoplifting incidents" (Elzinga, 2016, p. 6). The neighborhood police officer (2016) indicates that "by proceeding in this way, we pursue the objective of preventing these problems from happening again in the future" (p. 6).

Besides identifying issues that are adversely affecting the wellbeing and the livability within their district and making their colleagues and superiors aware of them so that they can initiate appropriate police measures to address these issues prospectively, the two neighborhood police officers also perform a range of other police duties. More in general, but also with specific reference to the policing of the AZC, these duties inter alia include "emergency responses, registering complaints, confiscating stolen goods or taking evidence photographs" (Brummelhaus, 2016, p. 7). According to police sergeant Brummelhaus, "if there for instance happens to be a small-scale physical altercation between two inhabitants of the AZC, or when a theft is reported, then it may also be that just me or police sergeant Elzinga go to the scene in order to resolve the situation" (2016, p. 3). In cases of "larger incidents, however, we call upon the entire ward team (wijkteam) for support" (Brummelhaus, 2016, p. 3).

Both neighborhood police officers clarify that the investigation of crimes does not really belong to the spectrum of their work- "this is done by the criminal investigation department (recherche afdeling)" (Brummelhaus, 2016, p. 7). Police sergeant Elzinga explains in this context, that "as neighborhood police officers we are preoccupied with other tasks and do not have the capabilities to perform investigations ourselves- and to be honest, we also do not want to engage in criminal investigations; we want to keep out of investigations as far as possible due to our position as neighborhood police officers" (2016, p. 8). "What one needs to understand is that as neighborhood police officers we want to remain impartial to a certain degree-we want to operate objectively. So for us, it would prove difficult to have a conversation with somebody at

one day and to interrogate and punish the same person the very next day" (Elzinga, 2016, p. 7).

Police sergeant Elzinga explains that "if at all, then our involvement in criminal investigations is restricted to feed our colleagues from the criminal investigation department with our potentially available knowledge about suspected perpetrators. So, in a sense we act as a source of information or as some kind of contact person for the aftercare, but the criminal investigation itself is carried out by our colleagues from the criminal investigation department" (2016, p. 7).

When asked about their discretionary powers, the two neighborhood police officers outline that their opportunity to exercise discretion would generally depend on the nature and the severity of every single incident (Brummelhaus, 2016; Elzinga, 2016). According to police sergeant Brummelhaus (2016), "we personally assess at the scene whether a certain incident constitutes a minor offense (overtreding) or a criminal act (strafbaar feit)" (p. 4). Both police officers agree upon the fact that as far as minor offenses, such as less serious traffic offenses or disorderly behavior in public places, are concerned that they possess the autonomy to decide to give the offender a warning rather than a ticket or a fine (Brummelhaus, 2016; Elzinga, 2016).

There is also consensus between the two police officers about the fact that, in principle, there is almost no possibility to exercise police discretion when it comes to incidents that constitute a criminal act under Dutch law (Brummelhaus, 2016; Elzinga, 2016). As police sergeant Elzinga (2016) explains in this context "once we have gained knowledge about the commission of a certain crime, then we, as a general rule, have to make an official report and pass this report on to the public prosecution service (Openbaar Ministerie). Only the public prosecution service can decide whether to initiate proceedings against the alleged perpetrator or to drop a case under certain conditions-this cannot be decided by the police" (p. 5).

He additionally mentions that "since a couple of years, most of our cases are dealt with under the so-called ZSM-procedure, which stands for 'resolving crime cases as fast as possible'. Under the ZSM-procedure, the police and the public prosecution service decide on the most preferable way to resolve and settle all criminal cases that do not necessarily require the attention of a trial judge or court" (2016, p. 5).

While, in principle criminal cases should thus either be transferred to the public prosecution service, or alternatively be dealt with under the ZSM-procedure, police sergeant Elzinga acknowledges that "in some cases, especially for juveniles who have committed less serious criminal acts, such as simple shoplifting, the police are also entitled to refer them directly to the so-called 'HALT-procedure' " (2016, p. 5). According to him, "under the 'HALT-procedure', young first-time offenders who have committed minor criminal acts are given the chance to compensate their wrongdoing by either working or paying for the damages incurred. If the juvenile in question carries out the agreed sanction in a satisfactory manner, then he or she does not reach the level of prosecution and a criminal record is avoided" (2016, p. 5).

Police sergeant Elzinga additionally states that "when it comes to minor criminal acts committed by Dutch juveniles, I have the discretionary power to directly refer them to the 'HALT-procedure" (2016, p. 5).

However, in case that unaccompanied minor asylum-seekers have committed minor criminal acts "the situation is a little bit different", according to the police sergeant (Elzinga, 2016, p. 5). He outlines that "in view of the fact that certain misbehaviors of unaccompanied minor asylum-seekers have become a politically sensitive subject, I always consult my superior Jos Westerveld before referring them to the 'HALT-procedure'. In this sense, my discretionary powers to impose a 'HALT-order' for unaccompanied minor asylum-seekers who have committed minor criminal acts are more limited than for Dutch juvenile offenders" (Elzinga, 2016, p. 5).

In addition to the two neighborhood police officers, there are also three officers from the AVIM who contribute to the policing of the AZC Almelo¹³. The officers from the AVIM, a special police unit that belongs to the regional criminal investigation division, are responsible for supervising the lawful residence of the asylum-seekers in the AZC and for monitoring their compliance with the Dutch Aliens Act (vreemdelingenwet), particularly with the weekly reporting obligation (meldplicht).

¹³At his point, it should be noted that from the officers of the AVIM only the rank of Mrs. Kootstra is known to the author of this report. Admittedly, all interviewees in Almelo repeatedly mentioned that Rick Bakker is involved in the policing of the AZC Almelo, but his rank and the specific duties that he performs have not become apparent. As far as the third officer from the AVIM is concerned, neither the name, nor the specific rank is known to the author of this report. As, however, special investigation officer Kootstra often talked in the first-person plural when describing the AVIM's performance of tasks and duties in the AZC Almelo, it can be assumed that most of the tasks and duties are performed by all three officers together.

Officers from the AVIM are also involved in the repatriation of asylum-seekers whose applications have been rejected and are not open for appeal (Kootstra, 2017).

Special investigation officer (BOA) Kootstra (2017) estimates that "on average, we go to the AZC Almelo two or three times per week" (p. 3). She further specifies that "on every Monday we inevitably show up at the AZC for monitoring the asylum-seekers' compliance with the reporting obligation (meldplicht)" (2017, p. 3). According to her, "besides monitoring the compliance with the reporting obligation, the fixed date on every Monday is also used to interview and interrogate inhabitants of the AZC who are under investigation by the AVIM" (2017, p. 3). The special investigation officer explains in this context that "if I spontaneously went to the AZC in order to interrogate a certain inhabitant, then there would be a strong probability that I would not find him or her. Due to the reporting obligation, however, we can almost be certain that all the inhabitants of the AZC are present and, accordingly, we can avoid such a situation" (2017, p. 3). Relating thereto, she adds that colleagues from other police departments would also take advantage of this circumstance in the course of their duties (2017).

Further occasions for the officers of the AVIM to go to the AZC are according to special investigation officer Kootstra related to meetings with employees of the COA and the Repatriation and Departure Service, during which "the voluntary or forced repatriations of rejected asylum-seekers who are not entitled to reside in the Netherlands any longer are discussed and initiated" (2017, p. 3).

In sum, special investigation Kootstra estimates that "about half of her working time is spent on issues that are specifically related to the AZC in Almelo" (2017, p. 8).

When asked about the type of investigations that are performed by her and the other two colleagues from the AVIM, Mrs. Kootstra explains that "generally, we are only involved in investigations concerning the Dutch Aliens Act" (2017, p. 7). According to her, "in individual cases, it is for instance possible that, based on the provided documentation or data, the identity of a certain asylum-seeker could not properly be established in Ter Apel. For us, this is taken as a reason to continue the identity investigation here in Almelo" (2017, p. 8). Moreover, she elucidates "that it is also conceivable that a certain asylum-seeker is suspected of having knowingly concealed information or of having provided misleading or fraudulent information

during the asylum procedure" (2017, p. 8). The special investigation officer states that, "in cases where such a suspicion exists, it becomes our task to investigate the matter" (2017, p. 8).

According to Mrs. Kootstra, "a further reason to launch an investigation is if we are for instance signaled by employees of the COA or the IND that a certain inhabitant of the AZC or the 'Huize Alexandra' possibly became the victim of human trafficking or human smuggling" (2017, p. 8).

In addition, the special investigation officer elucidates that "if inhabitants of the AZC are suspected of having committed crimes, such as shoplifting or bodily harm, it does not fall within the remit of the AVIM to investigate these cases" (2017, p. 9). She expresses that "instead, the 'normal' police would be in charge of these investigations" (2017, p. 9) and therewith confirms the statements of the two police sergeants Brummelhaus and Elzinga to a certain extent.

Furthermore, Mrs. Kootstra expounds that "in case, that there are asylum-seekers who either show an indication for being radicalized or who pose a potential terror threat", neither she, "nor the two police sergeants Brummelhaus and Elzinga would be able to do much about it" (2017, p. 8). According to her, "all we could do in such a case is to as soon as possible inform the specialized criminal investigation department about the matter, which would then be in charge of the subsequent investigations of the suspicious persons" (2017, p. 8).

Aside from that, Mrs. Kootstra clarifies that the limited scope of investigations she performs "is not so much related to her rank as a special investigation officer (BOA) who only holds limited police powers and investigative authority, but rather to the fact that the general mandate of the AVIM is confined to monitor the asylum-seekers' compliance with the Dutch Aliens Act and to merely investigate violations thereof accordingly" (2017, p. 8).¹⁴

¹⁴ Although special investigation officers (BOAs) serve in the Dutch police, they are no police officers. While officers of the public police possess the general authority to investigate all criminal acts, the investigative authority of special investigation officers is limited to specific offenses (Ministry of Security and Justice, n.d.). "They are authorized to perform specialized and well-delineated tasks based on special laws (regulatory legislation) and bye-laws of local and regional authorities" (Mein & Hartmann, 2013, p. 75). "The Minister of Security and Justice (the Justis agency) may confer investigative authority on special investigation officers if necessary for performing their duties (...). Depending on their duties, special investigation officers have certain police powers (such as to arrest and search suspects) and carry weapons (e.g. a truncheon, handcuffs, or a service revolver)" (Mein & Hartmann, 2013, p. 75).

With regard to the possibility to exercise discretion, special investigation officer Kootstra imparts that "without prior consultation of her superior" (2017, p. 5), she is for instance "afforded the decision-making power to either fine or to let a certain asylum-seeker off with a warning in case that her or she violates the reporting obligation" (2017, p. 5). According to her, "the fine is quite high-about €100" (2017, p. 5). She explains that "if the trespasser can provide a good excuse for violating the reporting obligation and admits his or her fault", that "he or she could then get away without having to pay the fine once only" (2017, p. 5). However, "in case that a certain inhabitant of the AZC decides to ignore the reporting obligation twice, then he or she inevitably has to pay the fine and potentially even more serious consequences will follow" (2017, p. 5).¹⁵

9.3 Conclusion

The above comparison of the ways in which the two asylum accommodation facilities are policed revealed that, in Bramsche-Hesepe, there are three police officers from the criminal and investigation service who are predominantly responsible for the execution of the police work in and around the arrival center. All three police officers are exclusively deployed for the policing of the facility and their primary tasks encompass investigation activities, criminal prosecutions and the prevention of hazards (Oldiges & Dierker, 2016). Outside the office hours of the branch police office and in case of major emergency situations requiring immediate police attendance, the three police officers from the criminal and investigation service are substituted or supported by their colleagues from the operational and patrol service.

In the main, the policing of the regular reception facility in Almelo is carried out by two neighborhood police officers and three (police) officers from the AVIM. Common to all of them is that they only dedicate part of their work to the policing of the AZC and that they also have to perform other police duties that are not directly related to it.

In case of larger incidents, the five (police) officers receive support from the entire ward team (wijkteam).

With regard to the police personnel that is deployed for the policing of the AZC, it is important to note that not of them are fully qualified police officers. In fact, there is at

¹⁵ See also page 49

least one special investigation officer (BOA) who contributes to the policing of the AZC Almelo. While, indeed, this special investigation officer works for the police, she is no police officer and therewith only holds limited police powers and investigative authority. Unlike in Almelo, all three officers in Bramsche-Hesepe are all full-fledged police officers with full police powers and investigative authority.

It has furthermore been found out that the police officers in Hesepe spend the majority of their time on investigating and prosecuting criminal acts that are committed by and against asylum-seekers within the entire jurisdiction of the police department of Bramsche, whereby the investigation and prosecution of criminal acts committed by asylum-seekers clearly constitutes the leading task (Otte, 2016). No matter whether cases of bodily harm, sexual harassment, property crimes or violations of the German Residence Act are concerned; in most cases the respective investigation is carried out by the three police officers themselves and "only the investigations of capital offenses (Kapitalverbrechen) are transferred to the central criminal office (Zentraler Kriminaldienst) of the police inspection of Osnabrück" (Oldiges, 2016, p. 5).

It seems safe to conclude that the police work in Bramsche-Hesepe is largely reactive and incident-focused, meaning that the police officers start their investigative work and/or respond to crime only after it occurs. Especially due to their strong involvement into investigations of violations of the German Residence Act, such as illegal entry into and residence in the Federal Republic of Germany, the police officers have hardly any time in their day-to-day operations to engage in preventive or proactive police work (Oldiges, 2016).

For the police work in and around the regular reception facility in Almelo almost the exact opposite seems to be the case. In their role as neighborhood police officers, the two police officers Brummelhaus (2016) and Elzinga (2016) intimated that investigative work plays, if at all, only a peripheral role for their daily duties. On their own account, they are preoccupied with other tasks to such an extent that they do not have the capabilities to engage in criminal investigations themselves and furthermore, in order not to endanger their status as neighborhood police officers they "want to keep out of investigations as far as possible" (Elzinga, 2016, p. 7).

From all tasks that the two police officers Brummelhaus and Elzinga are assigned to, their most important functions seems to be the gathering of intelligence about issues that are adversely affecting the wellbeing and the livability within their district and

making their colleagues and superiors aware of them so that they can initiate appropriate police measures to address these issues prospectively.

In sum, there are clear indications that in executing their roles as neighborhood police officers, the two police officers Brummelhaus and Elzinga rather take a preventive approach and apply a proactive work style instead of engaging in repressive or reactive police measures, such as criminal investigations.

While the two neighborhood police officers seemingly intend to stay out of investigations if possible, officers from the special police unit of the AVIM do engage in criminal investigations, albeit only in those that specifically relate to violations of the Dutch Aliens Act. As in case of the two neighborhood police officers, (police) officers from the AVIM also seem to transfer the investigations of other types of crimes to their colleagues of the criminal investigation department (*recherche afdeling*).

It seems appropriate to conclude that the (police) work of the AVIM comprises both reactive as well as proactive elements. If it is for instance to be assumed that the monitoring of asylum-seekers' compliance with the reporting obligation *inter alia* serves the purpose of making it more difficult for them to disappear into illegality, then this procedure can be classified as being proactive. The asylum-seekers' penalization for having violated the reporting obligation, however, for instance constitutes a reactive element.

The comparison of the police officers' opportunity to exercise discretion brought to light that "in case that a criminal offense has been committed, or if there is a risk that someone is getting injured or something is getting damaged" (Richter, 2016, p. 3), the police officers in Hesepe do not possess any discretionary powers. As they are bound by the principle of legality, the police officers have an obligation to follow-up on every single criminal offense that they gained knowledge about. Under the legality principle, the police are not allowed to dismiss any case. This may only be done by the public prosecutor (*Staatsanwaltschaft*). On their own account, the police officers stated that their opportunity to exercise discretion is thus confined to the commission of minor offenses (Richter, 2016; Otte, 2016).

While in principle, there is also almost no possibility to exercise discretion for the police officers in Almelo when it comes to incidents that constitute a criminal act under Dutch law, police sergeant Elzinga (2016) pointed to the fact that there is one

exception for juveniles who have committed minor criminal acts" (p. 5). Under the so-called 'HALT-procedure' young first-time offenders are offered a unique form of alternative settlement at the police level. They can compensate their wrongdoing by either working or paying for the damages incurred. Once the 'HALT-program' is successfully completed by the juvenile in question, the charges against him or her are officially dropped. In this way, the juvenile is not prosecuted and a criminal record is consequently avoided (Elzinga, 2016).

Even if police sergeant Elzinga indicates that in case that unaccompanied minor asylum-seekers have committed minor criminal acts he always has to consult the team chief before referring them to the 'HALT-procedure', and that his personal discretionary powers are therefore more limited than for Dutch juvenile offenders (whom he can directly refer to the 'HALT-procedure'), the police in Almelo is still capable to decide internally that delinquent minor asylum-seekers can rectify their misbehaviors without reaching the level of prosecution and without having a criminal record. Since this possibility does according to the knowledge of the author of this report not at all exist for the German police officers, it seems appropriate to conclude that as far as the commission of minor criminal acts by minor asylum-seekers is concerned, the police in Almelo legitimately enjoy broader powers of discretion than their German colleagues.

As far as the commission of minor offenses by asylum-seekers, such as minor traffic offenses, is concerned no differences between the police officers' opportunity to exercise discretion could be ascertained in the course of this study. Police officers in Almelo as well as in Bramsche-Hesepe stated that they have the discretionary powers to hand out a verbal warning instead of a fine in case that a certain asylum-seeker has committed a minor offense.

Finally, this study revealed that despite the fact that the three criminal and investigative police officers in Hesepe perform their duties from a branch office on the premises of the arrival center, the hierarchical command and control structures continue to apply to the same extent as if they were housed in the actual police station of Bramsche (Oldiges, 2016). This means that the police officers are still directly subordinated to the head of the criminal and investigative service, who directs, supervises and reviews the work of all three of them.

The situation for the police officers in Almelo is comparable: according to police sergeant Brummelhaus (2016), "all police officers of the basisteam 'B2 Twente Noord' are subordinated to and report to the team chief, Jos Westerveld. That is the same everywhere and for everyone and thus also applies to those police officers that are responsible for the policing of the regular reception facility" (p. 4).

10. Factors that explain the differences between the modes of policing

In the previous section of this report a number of differences in the modes in which the two asylum accommodation facilities are policed were uncovered.

It is the declared aim of this section of the report to deliver possible explanations for the observed differences. As has been stated in chapter 2, "variations in the mode of policing constitute the dependent variables-phenomena to be explained- and environmental, organizational and situational¹⁶ factors are the independent variables, which provide the explanation" (Carrington & Schulenberg, 2003, p. 77).

To begin with, a fundamental difference between the modes of policing of the regular reception facility in Almelo and the arrival center in Bramsche-Hesepe could be observed in terms of the police personnel that is deployed in and around the respective asylum accommodation facility. To recall: while the policing of the regular reception facility in Almelo is predominantly executed by three (police) officers from the AVIM and two neighborhood police officers, the policing of the arrival center in Bramsche-Hesepe is mainly under the responsibility of three police officers from the criminal and investigative service of the police department of Bramsche.

How come that three police officers from the criminal and investigative service are deployed for the policing of the arrival center in Bramsche-Hesepe, while the policing of the regular reception facility is executed by three (police) officers from the AVIM and two neighborhood police officers?

In accordance with Section 18 of the German Asylum Act (Asylgesetz, AsylG), "the Federal German Police shall refuse entry if a foreigner, who has entered the territory

¹⁶ As has been previously stated, an analysis of situational factors that might affect the modes of policing of the police officers in Bramsche-Hesepe and Almelo is excluded from this study

of the Federal Republic of Germany from a safe third country¹⁷, requests asylum at the border".

However, as genuine asylum-seekers and migrants from safe countries of origin often used the same routes and means of transportation in their attempt to enter Germany, and as migrants from safe countries of origin frequently intentionally destroyed or withheld their identity documents (presumably in order not to risk to be immediately identified as coming from a safe country of origin and hence being potentially denied entry), the German Federal Police often had no possibility to properly distinguish between those people with a genuine claim to asylum and those people who are not eligible for asylum. As a consequence, in addition to genuine asylum-seekers, who have predominantly fled from countries in crisis or conflict, such as Syria, Afghanistan and Iraq, the migratory flows to Germany also included irregular migrants from safe countries of origin with almost no chance of obtaining asylum in Germany, especially from the Balkan states. According to the assessment of Thränhardt (2016), even one third to a half of all foreigners that have arrived in Germany (expressed in numbers: 297.000 to 445.000) throughout the year 2015 came from the Balkan states. Taken together, about 890.000 foreigners have arrived in Germany in 2015 alone (Federal Ministry of the Interior, 2016). As has been shown in more detail in chapter 7.1, this massive influx of genuine asylum-seekers and irregular migrants overburdened the German authorities. Neither was the German Federal Police capable of systematically fingerprinting and/or photographing all new arrivals, nor did the BAMF have sufficient staff or IT capabilities to properly record and process the high numbers of asylum applications in a timely manner.

The lack of systematically fingerprinting all new arrivals and promptly registering all asylum applications has been associated with a number of problems throughout Germany. In particular, these include cases of identity- and welfare fraud which have to be investigated by the police.

In addition to investigations against genuine asylum-seekers and irregular migrants who are suspected of having committed identity- and welfare fraud, the police frequently also have to open investigations against individuals who are suspected of having violated the German Residence Act (Aufenthaltsgesetz, AufenthG). As has

¹⁷EU Member States, Albania, Macedonia, Serbia, Senegal, Montenegro, Kosovo, Ghana, Bosnia-Herzegovina)

been explained intensively in chapter 8.1, "foreign nationals are only entitled to enter or reside on German territory, if they are in possession of a valid passport or comparable document, unless an exemption has been granted in accordance with decree-law" (Section 3 Subs. 1 AufenthG). Furthermore, "foreign nationals require a legal residence title for entering or residing in Germany. These residence titles can be granted in the form of a visa, a residence permit or a settlement permit" (Section 4 Subs. 1 AufenthG). "If foreign nationals enter German territory without the obligatory passport or travel documents and without the obligatory residence documents, their entry is illegal" (Section 14 Subs. 1 AufenthG). Pursuant to Section 95 Subs. 1 AufenthG and Section 95 Subs. 2 AufenthG, "unauthorized entry into German territory and an unauthorized residence on German territory, are punishable acts".

As a considerable number of genuine asylum-seekers, and particularly irregular migrants from safe countries of origin, neither possessed valid identity documents nor the obligatory residence titles when they entered German territory, the police have to launch numerous investigation on account of their illegal entry and/or residence.

Due to the combination of many cases of welfare-and identity fraud, numerous cases of violations of the German Residence Act and muted increases in other areas of crime, such as thefts and cases of bodily harm (mostly among the inhabitants of asylum accommodation facilities), that were as of 2015 recorded in and around asylum accommodation facilities within the federal state of Lower Saxony, the Lower Saxony Ministry of Interiors and Sport solicited all police directorates having jurisdiction over asylum accommodation facilities to adapt their organizational structures and to establish central investigations units 'Migration'¹⁸ ('ZERmG', Zentrale Ermittlungsgruppe) (Niedersächsischer Landtag, 2017). The central investigation units are subordinated to the criminal and investigation service (Kriminal- und Ermittlungsdienst, KED) and are ordinarily staffed with criminal and investigative police officers, accordingly.

The exclusive tasks of the newly established central investigation units are, as their names suggests, to investigate and prosecute all criminal acts that are committed by and against asylum-seekers and other migrants (Niedersächsischer Landtag, 2017).

¹⁸ In the case of the police department of Bramsche the central investigation unit is called 'ZErmG Arrival Center (LAB NI)'

As can be seen from Figure 18, the police directorate of Osnabrück responded to the solicitation of the Lower Saxony Ministry of Interiors and Sport and even established two central investigation units within its jurisdiction.

	In operation since	Current employment of police staff
police directorate of Braunschweig	03.08.2015	10
police directorate of Göttingen	21.01.2016	3
police directorate of Lüneburg	04.10.2016	5
police directorate of Oldenburg	22.02.2016	5
police directorate of Osnabrück	01.02.2016	2
police directorate of Osnabrück police department of Bramsche	01.02.2016	3

Figure 18: Overview of central investigation units ('ZermG', Zentrale Ermittlungsgruppe) of the police force of Lower Saxony (Niedersächsischer Landtag, 2017)

The number of asylum-seekers that entered the Netherlands in the year 2015 was considerably smaller than in Germany. Only about 58.800 asylum-seekers have arrived here (IND, n.d.). Despite fierce criticism from human rights organizations, the Netherlands introduced the 'Improved Asylum Procedure' on 1 July 2010 (Programma Invoering Verbeterde Asielprocedure, PIVA), which brought about many procedural changes to the previous asylum system (Klaver, 2016). "The change was intended to speed up the process, while at the same time adding a new layer of diligence. Rejected asylum-seekers would be required to leave the Netherlands instead of continuing to submit applications for remaining in the cities as homeless residents" (Thränhardt, 2016, p. 3).

In the year 2015, the 'Improved Asylum Procedure' contributed to the fact that extremely few asylum applications from the Balkan states were submitted (Klaver, 2016). While in Germany, these applications made up between one third to a half of all applications, asylum applications from the Balkan states¹⁹ only accounted for about 2,9 percent (roughly 1.705 individuals)²⁰ of all submitted applications in the Netherlands (IND, n.d.). Certainly, this factor has contributed to the fact that the total number of new arrivals in the Netherlands was substantially lower than in Germany.

¹⁹As in the case of Germany, Albania, Macedonia, Serbia, Montenegro, Kosovo and Bosnia-Herzegovina have also been classified as safe countries of origin in the Netherlands

²⁰ See Figure 5

Although the Dutch asylum system came under stress at the peak of the refugee-crisis in the year 2015, it largely stood up to the pressures that the influx of new arrivals has created. Deficiencies with regard to systematically registering and fingerprinting all new arrivals, like they emerged in Germany, have not, or not to the same degree, occurred in the Netherlands. Instead, the government of the Netherlands has always placed great importance on ensuring that all the newly arriving asylum-seekers are photographed and fingerprinted at any time (Kootstra, 2017). As a consequence, "it was basically impossible for asylum-seekers to assume multiple identities and to commit welfare fraud in the Netherlands" (Kootstra, 2017, p. 7). This circumstance also has an effect on the police work in and around the regular reception facility in Almelo: as this study has shown, the police are not required to investigate cases of identity-and welfare fraud, there.

A further difference between the Netherlands and Germany, that also has a huge impact on the police work in and around the two asylum accommodation facilities, refers to the fact that, while entering German territory without a valid identity document and/or a residence title constitutes a criminal offence, the mere entering of the Netherlands without a valid identity document and/or residence title is not a criminal offence in criminal law (EMN, 2016). As has been shown in the course of this study, the criminal and investigative police officers in Bramsche-Hesepe are required to open investigations against anyone who entered the country without a valid identity document and/or a residence title. Due to the fact that numerous asylum-seekers, and especially irregular migrants from the Balkan states, have arrived in Bramsche-Hesepe without a valid identity document and/or a residence title, these investigations constitute the main task of the police officers, there. As the mere entering into the Netherlands without a valid identity document and/or residence title is not a criminal offence, the police officers in Almelo are consequently not required to open investigations against inhabitants of the regular reception facility who entered the Netherlands without a valid identity document and/or residence title.

Especially in order to cope with the multitude of cases of identity-and welfare fraud as well as the numerous violations of the German Residence Act, that all require the initiation of criminal investigations, additional investigative structures were

established within the police force of Lower Saxony and within the police department of Bramsche.

A comparable development could not be observed within the regional police unit of Eastern-Netherlands and the basisteam 'B2 Twente Noord'. Especially in order to cope with the multitude of cases of identity-and welfare fraud as well as the numerous violations of the German Residence Act, that all require the initiation of criminal investigations, additional investigative structures were established within the police force of Lower Saxony and within the police department of Bramsche.

A comparable development could not be observed within the regional police unit of Eastern-Netherlands and the basisteam 'B2 Twente Noord'. On the one hand, this might be due to the fact that, that those conditions in the external environment that fundamentally shape the workload of the police officers in Bramsche-Hesepe are largely not existent for the police officers in Almelo. Following the simple logic that if no problem to be solved exists, no solution development is required, it can easily be understood that, in the absence of pressing problems that require the initiation of criminal investigations, the basisteam 'B2 Twente Noord' refrained from establishing additional investigate structures within its unit.

On the other hand, the absence of a central investigation unit within the basisteam 'B2 Twente Noord' that specifically investigates matters relating to the regular reception facility in Almelo might be related to the different penal procedure codes that are applied in the Netherlands and Germany. As has been previously stated, in Germany the principle of legality applies, which means that the public prosecutor and the police are obliged to investigate any criminal offence that is brought to their attention. In the Netherlands, however, the principle of opportunity applies, which generally gives the public prosecutor and the police more room to maneuver in terms of deciding whether to initiate investigations or not whenever information about a crime is received reactively. "The designation of specific investigation priorities, of course, is also translated into the allocation of manpower and resources for the investigation and in the choices of the public prosecutor regarding the deployment of available investigation capacity" (Spapens, 2008, p. 235). "In the Netherlands the number of criminal and investigative police officers is relatively limited. Here, only cases that have been given priority status can actually be investigated. In Germany the situation is different since, because of the principle of legality, more criminal and investigative police officers have to be available" (Fijnaut & Spapens 2013, p. 118).

The comparison of the problems that the police officers in Bramsche-Hesepe and Almelo are confronted with has revealed that the main concerns for the police officers that are responsible for policing the regular reception facility in Almelo are the troubles caused by the unaccompanied minor asylum-seekers, who are accommodated in the 'Huize Alexandra'. This study has revealed that the troubles that they cause primarily encompass minor criminal acts, such as simple shoplifting and public order offences that for instance include nuisance, noise nuisance as well as the possession and consumption of alcohol and/or drugs on public roads or in other public places. While these minor criminal acts and public order offences are probably not classified as those 'priority status'-cases that would entail the initiation of criminal investigations, they are still adversely affecting the wellbeing and the livability within the district of Noorderkwartier (location of the regular reception facility and the 'Huize Alexandra') and require the police to do something about them. Since minor criminal acts and public order offences do not bring the police officers from the criminal investigation department (recherche afdeling) to the scene, it falls into the remit of the neighborhood police officers to address the minor criminal offences and public order offences committed by the unaccompanied minor asylum-seekers in order to keep up the safety and the livability within the district of Noorderkwartier.

Furthermore, in the answer to the third sub-question it has been reported that there is at least one special investigation officer (BOA) of the AVIM deployed for the policing of the regular reception facility in Almelo. For the policing of the arrival center in Bramsche-Hesepe, however, the deployment of comparable police staff could not be ascertained. What is the reason for that?

To recall: although special investigation officers admittedly serve in the Dutch police force, they are no full-fledged police officers and only hold limited police powers and investigative authority. On the whole, there are approximately 8.000 BOAs employed by the police in the Netherlands (Mein & Hartmann, 2013), who assume a number of well-delineated tasks from the regular police, allowing the latter to focus on core areas where full police powers are necessary (Boels & Verhage, 2016).

Across the Netherlands, the deployment of non-police providers of policing takes place since the early 1990s and finds widespread application nowadays (Terpstra, van Stokkom & Spreuwiers, 2013), "whereas, in the German police civilianization is

not a regular feature and they do not have civilian auxiliaries except for a few federal states which employ them as support for the police" (Donnelly, 2013, p. 87).

The federal state of Lower Saxony ranks among the few states that indeed employ auxiliary police officers (Hilfspolizisten) since the beginning of the year 2016 (The Lower Saxony Ministry of the Interior, 2016a). Nevertheless, they are not deployed for contributing to the policing of asylum accommodation facilities across Lower Saxony in general and the arrival center in Bramsche-Hesepe in particular.

The explanation for the absence of auxiliary police officers for the policing of the arrival center in Bramsche-Hesepe lies in the fact, that their task is constrained to escort and to monitor heavy goods transports (Schwerlasttransporte) on the roads across the Federal State of Lower Saxony (The Lower Saxony Ministry of the Interior, 2016a). For this purpose, the auxiliary police officers are equipped with a police signaling disc (Polizeikelle) and they are authorized to perform a number of sovereign tasks (hoheitliche Aufgaben), such as regulating road traffic. Yet, the auxiliary police officers are not allowed to prove road users' identities or to make use of any direct coercion (Polizeidirektion Osnabrück, 2016). Through the deployment of the auxiliary police officers, the regular police officers of the federal state of Lower Saxony shall be entirely relieved from the task of escorting heavy goods transports, so that they have more time for core police duties at their disposal (Lower Saxony Ministry of Interiors and Sport, 2016b).

Altogether, despite only holding limited police powers and investigative authority, the special investigation officer(s) can make an important contribution to the policing of the regular reception facility in Almelo, whereas a deployment of auxiliary police officers for the policing of the arrival center in Hesepe is legally impossible due to their very limited application possibilities within the police force of Lower Saxony.

The third difference between the police personnel that is deployed for the policing of the regular reception facility in Almelo and the police personnel that is deployed for the policing of the arrival center in Bramsche-Hesepe refers to the deployment of (police) officers from the AVIM. While three (police) officers from the AVIM contribute to the policing of the regular reception facility in Almelo, the deployment of comparable police staff could not be ascertained for the arrival center in Bramsche-Hesepe.

The explanation for this difference lies in the fact that the competences to supervise the lawful residence of asylum-seekers and to monitor their compliance with the respective law on foreign nationals are organized differently in the Netherlands and Germany. While, in the Netherlands, the police in form of the special unit of the AVIM are inter alia responsible for supervising the lawful residency of foreign nationals and for imposing repatriation decisions, these tasks do not initially fall into the remit of the police in Germany. Instead, a separate, non-police body in form of the foreigners authority is in the first place accountable for all measures and decisions pertaining to the residence of foreigners. Only if foreign nationals have violated provisions of the German Residence Act or if foreign nationals who are obliged to leave the country resist their repatriation, the police are called in.

In sum, it seems as if external environmental factors mainly provide the explanation for the observed differences between the police staff that is deployed for the policing of the arrival center and the police staff that is deployed for the policing of the regular reception facility. To recall, "external variables pertain to factors outside the police organization and can be separated into two basic categories: community characteristics that indirectly affect police behavior, such as variations in community size, variations in local levels of crime and violence, and direct external efforts to control police behavior, including the criminal justice systems (i.e. principle of legality vs. principle of opportunity), police laws and regulations as well as court rulings" (White, 2007, p. 406).

As has been demonstrated in the course of this study, both, differences in the community characteristics (i.e. number of asylum-seekers, number of irregular migrants, nature and frequency of criminal offences) as well as differences in the direct external efforts that determine the functions and control the behaviors of police officers (i.e. different penal procedure codes, the solicitation of the Lower Saxony Ministry of Interiors and Sport to establish additional investigative structures, differences in the Dutch and German asylum acts) induce the observed differences between the police personnel that is deployed for the policing of the arrival center in Bramsche-Hesepe and the regular reception facility in Almelo.

Another fundamental difference that has been observed between the modes of policing of the police officers in Bramsche-Hesepe and the police officers in Almelo

relates to the fact that, while the police officers in Bramsche-Hesepe are exclusively deployed for the policing of the arrival center and almost entirely perform their duties from a branch office on the premises of the arrival center, the police officers in Almelo only dedicate part of their work to the policing of the regular reception facility and are only present on the premises of the regular reception facility on occasion. How can this difference be explained?

The decision to exclusively deploy the police officers for the policing of the arrival center and to establish a branch office on the premises of the arrival center, to a certain extent follows an approach that other police scholars labeled as 'hot spots policing'. "Hot spots policing covers a range of police responses that all share in common a focus of resources on the locations where crime is highly concentrated" (Grana & Windell, 2017, p. 275).

As has been ascertained in chapter 9.1, the main purpose of the three criminal and investigative police officers in Bramsche-Hesepe is to investigate and prosecute all criminal acts committed by and against asylum-seekers and other migrants (Otte, 2016; Oldiges, 2016).

Among all the criminal acts that entail investigations of the three police officers, violations of the German Residence Act (Aufenthaltsgesetz, AufenthG) in general, and violations of the legal provisions on entry and residence in particular, rank first (Otte, 2016; Richer, 2016; Oldiges, 2016). As the entire asylum procedure takes place on the premises of the arrival center in Bramsche-Hesepe, irregularities in the asylum procedure like the absence of valid identity documents or residence titles are first detected here- either by employees of the BAMF or the foreigners authority (Ausländerbehörde) that are also present on the premises of the arrival center. In case that it is detected by employees of the BAMF or the foreigners authority that asylum-seekers do not possess valid identity documents, are using false or forged documents and/or do not possess residence titles, they have to report this circumstance to the police officers in Hesepe. Subsequently, the police officers are obliged to open investigations against the concerned individuals.

According to police senior councilor Oldiges (2016), while performing their investigative duties, the three criminal and investigative police officers strongly benefit from the close proximity and the close contacts to other authorities that are also present (and that also first detect irregularities in the asylum procedure) on the

premises of the arrival center. Those synergies really proved as being very fruitful" (p.3).

In contrast to their German counterparts from the criminal and investigative service, the two neighborhood police officers, Elzinga and Brummelhaus, are not exclusively deployed for the policing of the regular reception facility in Almelo.

In fact, this study has figured out that they only dedicate part of their work to the policing of the regular reception facility.

A potential explanation for this circumstance was provided by police sergeant Brummelhaus, who stated that, "as a neighborhood police officer in the Netherlands, you are assigned to a certain district" (2016, p. 2). "If a regular reception facility is located with the geographical area that is assigned to a certain neighborhood police officer, then this very officer is also responsible for executing police tasks that are related to the regular reception facility, but it does not constitute the main task" (Brummelhaus, 2016, p. 7). "Instead, the mandate of a neighborhood police officer is to keep the entire district safe and quit" (Brummelhaus, 2016, p. 2).

The explanation for the observation of this study that the neighborhood police officers are only present on the premises of the regular reception facility on occasion, seems to be bound up with the fact that in contrast to the situation in Bramsche-Hesepe, the problems that the neighborhood police officers are required to address do mainly occur outside the regular reception facility. In the course of this study, it became apparent that the main concerns for the police officers in Almelo are the minor criminal acts and public order offences which are committed by unaccompanied minor asylum-seekers. As according to police sergeant Elzinga (2016), "the behavior of the unaccompanied minor asylum-seekers inside the regular reception facility is usually more or less acceptable" (p. 6), and that "they cause way more problems when they go outside" (p. 6), it would consequently be of little help for the neighborhood police officers if they strengthened their presence on the premises of the regular reception facility.

Additionally, this study has found that the three (police) officers from the AVIM also only dedicate part of their work to the policing of the regular reception facility in Almelo. This circumstance can best be explained by the fact that in contrast to the

situation in the arrival center in Bramsche-Hesepe, the asylum-seekers that are accommodated in the AZC Almelo have already gone through many stages of the Dutch asylum procedure before they were allocated to the AZC Almelo. Irregularities in the Dutch asylum procedure, such as that asylum-seekers possessed false or forged documents or that they knowingly withheld information about their country of origin or about their reasons of flight, would have assumingly already been detected by the Dutch authorities in the central reception center in Ter Apel or in one of the processing reception facilities. Thus, the (police) officers from the AVIM in Almelo do not have to engage in investigations to such an extent that it becomes necessary to be constantly present on the premises of the regular reception facility.

In sum, it seems as if besides some organizational factors (i.e. the role and function of neighborhood police officers within the Dutch police force, mandate of criminal and investigative police officers in Bramsche-Hesepe), especially external environmental factors (i.e. differences in the asylum procedures, differences in type and location of crimes and problems, presence of other authorities) provide the explanation for the observation that, while the police officers in Bramsche-Hesepe are exclusively deployed for the policing of the arrival center and almost entirely perform their duties from a branch office on the premises of the arrival center, the police officers in Almelo only dedicate part of their work to the policing of the regular reception facility and are only present on the premises of the regular reception facility on occasion.

A third mayor difference that has been observed between the modes of policing of the police officers in Bramsche-Hesepe and the police officers in Almelo is that, while the police work in Bramsche-Hesepe is largely reactive and incident-focused, the police work in Almelo comprises more preventive and proactive elements. Why is the case?

This study's finding that the police work in Bramsche-Hesepe is largely reactive and incident-focused is, on the one hand, certainly related to the fact that three criminal and investigative police officers are deployed for the policing of the arrival center. According to Cole, Smith & DeJong (2013), "criminal investigative work is largely reactive in that criminal and investigative police officers typically wait until a crime is reported before their work can begin" (p. 93). On the other hand, it became apparent in the course of this study, that in order to avoid being identified as irregular migrants

and hence being potentially denied entry to the territory of the Federal Republic of Germany, especially individuals from the Balkan states intentionally destroyed their identity documents in large numbers before they have arrived at the German border. This means that at that moment where the concerned individuals arrive in Bramsche-Hesepe and request asylum there, they are already guilty of having violated the provisions of the German Residence Act. The police officers in Bramsche-Hesepe do not have the possibility to prevent these criminal offences from happening and there is nothing else for them but to open criminal investigations against the concerned individuals. As according to police inspector Otte, "90 percent of all new arrivals in Hesepe do neither possess valid identity documents nor the obligatory residence titles, the investigations against individuals who are suspected of having violated the provisions of the German Residence Act-which are clearly reactive in nature-constitute the main task of the criminal and investigative police officers" (2016, p. 9). As they, on their own account, are so busy with investigating these matters, they have apart from occasionally patrolling the premises of the arrival center hardly any time left to engage in preventive police measures.

This study's finding that the police work in and around the regular reception facility in Almelo comprises more preventive and proactive elements than the police work in and around the arrival center in Bramsche-Hesepe is to a large extent related to the function of the neighborhood police officers there.

While in some of the basisteam in the Netherlands, the job of the neighborhood police officers includes the execution of criminal investigations and other repressive measures (Van Sluis & Van Os, 2013), the two neighborhood police officers who contribute to the policing of the regular reception facility intimated that investigative work plays, if at all, only a peripheral role for their daily duties. On their own account, they are preoccupied with other tasks to such an extent that they do not have the capabilities to engage in criminal investigations themselves and furthermore, in order not to endanger their status as neighborhood police officers they "want to keep out of investigations as far as possible" (Elzinga, 2016, p. 7).

From all tasks that the two police officers Brummelhaus and Elzinga are assigned to, their most important functions seems to be the gathering of intelligence about issues that are adversely affecting the wellbeing and the livability within their district and

making their colleagues and superiors aware of them so that they can initiate appropriate police measures to address these issues prospectively.

In sum, there are clear indications that in executing their roles as neighborhood police officers, the two police officers Brummelhaus and Elzinga rather take a preventive approach and apply a proactive work style instead of engaging in repressive or reactive police measures.

In sum, it seems as if besides one organizational factor (i.e. the role and function of the neighborhood police officers within the basisteam 'B2 Twente Noord'), two further external environmental factors provide the explanation for the observation, that the police work in Bramsche-Hesepe is largely reactive and incident-focused, while the police work in Almelo comprises more preventive and proactive elements. One of the external environmental factors which causes that the police work in Bramsche-Hesepe is largely reactive, is that irregular migrants (especially from the Balkan states) have intentionally destroyed their identity documents before they arrived in Germany or in the arrival center in Bramsche-Hesepe. This external factor falls into the category of community characteristics.

Taken in consideration that criminal investigative police work is largely reactive in nature and that the Lower Saxony Ministry of Interiors and Sport solicited all police directorates having jurisdiction over asylum accommodation facilities to adapt their organizational structures and to establish central investigations units(that are staffed with criminal and investigative police officers),the second external environmental factor which causes that the police work in Bramsche-Hesepe is largely reactive falls into the category of direct external efforts that determine the functions and control the behaviors of police officers.

10.1 Conclusion

In sum, the above analysis shows that organizational factors are least responsible for the observed differences between the modes in which the two asylum accommodation facilities under study are policed. External environmental factors, however, seem to provide explanations for the observed differences between the mode of policing of the regular reception facility and the mode of policing of the arrival center to a much greater degree. Both categories of external environmental factors, namely community characteristics that indirectly affect police behavior, and

direct external efforts that determine the functions and control the behaviors of police officers come into effect to an almost equal extent for explaining the observed differences in the ways in which the two asylum accommodation facilities are policed.

11. Overall conclusion

The aim of this study was to answer the question, if the policing of the regular reception facility (AZC) in Almelo (NL) currently differs from the policing of the arrival center in Bramsche-Hesepe (GER), and if so, which factors provide an explanation for the observed differences in the modes of policing.

In order to find an appropriate answer to this complex question, four sub-questions were developed and gradually answered.

From the answers to the four sub-questions, it can be concluded that the differences between the two asylum accommodation facilities outweigh their elements of similarity. There is not only a lot of variation in terms of the inhabitants of the two facilities, but also in terms of the roles that the two facilities assume in the asylum procedures in Germany and in the Netherlands. It was for instance revealed that, in contrast to the arrival center, a special facility for the accommodation of unaccompanied minor asylum-seekers is attached to the regular reception facility in Almelo. Furthermore, while the inhabitants of the regular reception facility in Almelo have already gone through many stages of the Dutch asylum procedure before they were allocated there, the entire asylum procedure takes place in Bramsche-Hesepe and it is here where asylum-seekers have their first contacts with the German asylum authorities. The study finds that the differences between the two asylum accommodation facilities have repercussions on the problems that the police officers who are responsible for policing the respective asylum accommodation facility are confronted with. While the minor criminal acts and public order offences of the unaccompanied minor asylum-seekers seem to be the main concern for the police officers in Almelo, the police officers in Bramsche-Hesepe are obliged to spend considerable amounts of time for conducting investigations against asylum-seekers on account of their illegal entry into and residence in the Federal Republic of Germany.

As the problems experienced by the police in Almelo and Bramsche-Hesepe vary, there are also quite distinct differences between the police personnel that is deployed

for the policing of the regular reception facility in Almelo and the police personnel that is deployed for the policing of the arrival center in Bramsche-Hesepe. This study finds that, while the policing of the regular reception facility in Almelo is predominantly executed by three (police) officers from the AVIM and two neighborhood police officers, the policing of the arrival center in Bramsche-Hesepe is mainly under the responsibility of three police officers from the criminal and investigative service of the police department of Bramsche.

Partly contingent upon the differences between the police personnel that is deployed for policing the regular reception facility in Almelo and the police personnel that is deployed for policing the arrival center in Bramsche-Hesepe, this study discovers that the modes in which the two asylum accommodation facilities are policed also differ. While the police work in Bramsche-Hesepe is largely reactive and incident-focused, the police work in Almelo comprises more preventive and proactive elements.

In sum, placed against the background that police scholars theoretically expect that variations in the modes of policing are caused by environmental, organizational and situational factors, this study comes to the conclusion that organizational factors are least responsible for the observed differences between the modes in which the two asylum accommodation facilities under study are policed. External environmental factors, however, seem to provide explanations for the observed differences between the mode of policing of the regular reception facility and the mode of policing of the arrival center to a much greater degree. Both categories of external environmental factors, namely community characteristics that indirectly affect police behavior, and direct external efforts that determine the functions and control the behaviors of police officers come into effect to an almost equal extent for explaining the observed differences in the ways in which the two asylum accommodation facilities are policed.

In her study Liedenbaum (2011) came to the conclusion that, depending on institutional environmental and organizational factors, the mode of policing of the Dutch police force in the realm of the basic police work features more elements of Wilson's watchman style and Kelling and Coles' community-policing model, while the mode of policing of the police force of North Rhine-Westphalia in the realm of the basic police work shows more parallels to Wilson's legalistic style and Kelling and Coles' reform-model" (p. 366).

Interestingly enough, this study finds that the police work in and around the regular reception facility in Almelo also features more elements of Wilson's watchman style and Kelling and Coles' community-policing model and that the police work in and around the arrival center in Bramsche-Hesepe also shows more parallels to Wilson's legalistic style and Kelling and Coles' reform-model. In contrast to Liedenbaum's conjecture that these variations in the modes of policing are due to the combination of institutional environmental and organizational factors, this study suggests that the observation that the police work in and around the regular reception facility in Almelo features more elements of Wilson's watchman style and Kelling and Coles' community-policing model and that the police work in and around the arrival center in Bramsche-Hesepe shows more parallels to Wilson's legalistic style and Kelling and Coles' reform-mode is mainly due to the combination of both categories of external environmental factors, namely community characteristics that indirectly affect police behavior, and direct external efforts that determine the functions and control the behaviors of police officers.

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Appendix

Interview Questions

1. Personal/professional background of police officers:

- What is the gender of the police officer?
- What is the rank of the police officer?
- For how long does the officer already work for the police?
- Which branch of police service (Dienstzweig: for instance Kriminal- und Ermittlungsdienst or Einsatz- und Streifendienst, resp. wijkagent or rechercheur, etc.) does the police officer belong to?
- What role/function did the police officer have prior to his/her work in and around the asylum accommodation facility?
- Did the police officer volunteer for his or her deployment in the accommodation facility or was the deployment commanded?
- Does the police officer have personal life experiences with asylum-seekers?
- For how long does the police officer work in and around the asylum accommodation facility? Is there a rotational relief for the police officer after a certain period of time?
- What foreign language skills (maybe also intercultural competence) does the police officer possess?
- Does the police officer work exclusively in/around the asylum accommodation facility or does he or she still have to fulfill other police tasks?
- Did the police officer receive a special training/preparation prior to his/her deployment in the asylum accommodation facility?

2. Organizational aspects

- Does the police maintain an own office (permanent representation) on the premises of the asylum accommodation facility? If so, is this office manned 24/7? For the case that the office is not manned 24/7, what are the office hours? Is there support outside the office hours?

- How many police officers are deployed in/around the asylum accommodation facility?
- If the police officers are exclusively deployed in the asylum accommodation facility, whom do they report to? How do they receive their orders/instructions?
- To what extent is police work decentralized? Can police officers make autonomous decisions on the spot/ can they determine local priorities for action?
- How much of the initial police hierarchy remains in force for the police work in/around the facility?
- To what extent are police officers provided with discretionary powers? Is it conceivable that so-called petty crimes are not prosecuted?
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3. Main police tasks and troubles

- What are the main police tasks in and around the asylum accommodation facility? (Are police officers rather busy with registration tasks, surveillance, observation, investigations, problem solving or information gathering?)
- What are the main troubles that the police have to manage?
- (To what extent) are the police officers engaged in (criminal) investigative work? Are they in charge of the (criminal) investigations themselves, or is this task delegated to other branches of the police service once the police officers within the asylum accommodation facility recorded a certain form of crime?
- How much time is spent on the different police tasks?
- Are the police officers also responsible for preparing/ executing the repatriation of asylum-seekers?

4. Approach and basic orientation of the police

- How does police work start? Is it initiated by the police or by refugees?
- Is police work in/around the asylum accommodation facility rather pro-active or reactive? If police work is rather pro-active, how are fields of action and objects of control activities selected and processed?
- Which modus operandi is applied? Do the police rather apply a 'hard-policing' or 'soft-policing-approach'?

- How/To what extent do police officers try to generate trust of the asylum-seekers in professional/constitutional police work?

5. Relationship police and refugees

- Are asylum-seekers reporting crimes/complaints to the police officers? Do asylum-seekers maybe rather report crimes/complaints to employees of the asylum accommodation facility instead of reporting them to the police?
- Does the police have any experiences with asylum-seekers that do not report crimes/complaints to the police, because (a) out of fear to endanger their own asylum status (maybe asylum-seekers want to avoid any contact with the police before it is ensured that they can remain in Germany or the Netherlands), (b) because they do not want to be labeled as rats or snitches within the asylum accommodation facility /community, (c) because of bad experiences that they made with the police in their countries of origin
- Do the police officers think that the asylum-seekers trust them? If so, how do they notice that?
- Is the relationship between the police and asylum-seekers any different from the relationship between the police and ordinary citizens?
- Does the police recognize differences between different groups of asylum-seekers in terms of their willingness to cooperate with the police, i.e. are some groups of asylum-seekers (from certain countries or believe systems) more willing to cooperate with the police than others?
- Do the police take into consideration that some of the asylum-seekers might have made bad experiences with the police within their home countries (Key words: Police terror, corruption, violation of the right to due process)

6. Relationship police and civil society

- How does the cooperation of the police with the leadership of the asylum accommodation facility, charities or volunteer helpers look like?
- Do the police engage in some kind of round-table/neighborhood meetings with the civil society?

- Do the police encourage civil society to actively take part in police work? If so, how do they get in touch with the relevant police officers in the accommodation facility?